



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

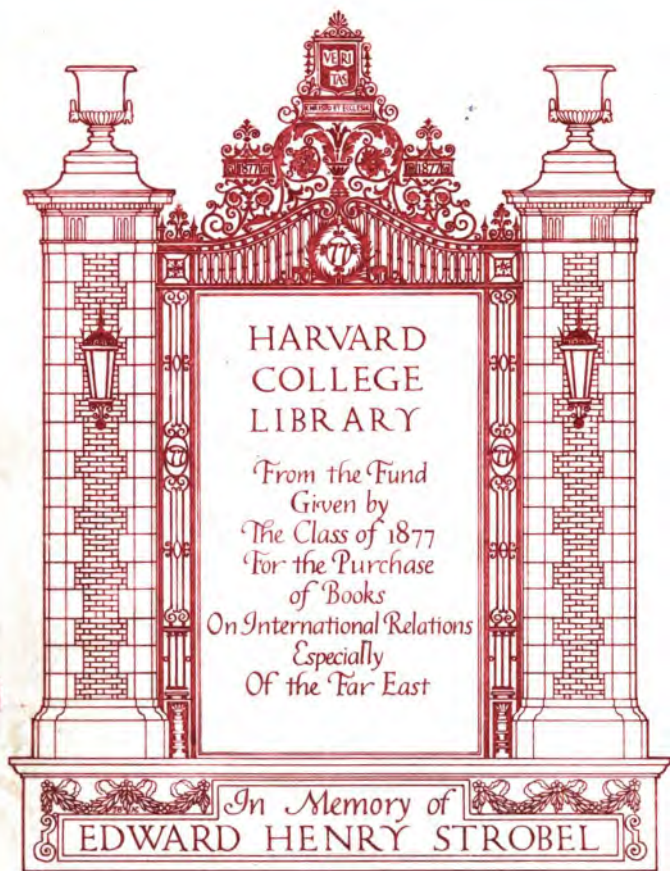
- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

Int 6668.20.10

A



1.75-



**THE LEAGUE OF NATIONS
AT WORK**



THE MACMILLAN COMPANY

**NEW YORK • BOSTON • CHICAGO • DALLAS
ATLANTA • SAN FRANCISCO**

MACMILLAN & CO., LIMITED

**LONDON • BOMBAY • CALCUTTA
MELBOURNE**

**THE MACMILLAN CO. OF CANADA, LTD.
TORONTO**

THE
LEAGUE OF NATIONS
AT WORK

BY
ARTHUR SWEETSER
Of the American Peace Commission and the Provisional
Secretariat of the League of Nations

New York
THE MACMILLAN COMPANY

1920

All rights reserved

~~Int 6875.61~~

Int 6668.20.10

✓

A



*Strobel fund
(class of 1877)*

COPYRIGHT, 1920,
BY THE MACMILLAN COMPANY

Set up and electrotyped. Published September, 1920.

PREFACE

I feel it is owed to those who chance to read this little book to preface it with a few personal words. For in a subject so controversial as the League of Nations the public has the right to know with what purpose and with what authority a writer presumes to ask its attention.

It so happens that I have had access to facts which I believe throw an entirely different interpretation upon the League than that almost universally held, as I saw the League at birth in Paris when a member of the American Peace Commission; saw it under development in London as a member of the Provisional Secretariat; and finally saw it in its first world conference in Washington as a member of the staff of the International Labor Conference.

The genesis of this little book lay in a series of articles written for the *New York Evening Post* at that very extraordinary moment when nine Americans out of every ten took it for granted

that because the United States had failed to ratify the Treaty the League did not exist. To those who knew the facts it appeared not only unwise but perhaps positively dangerous for a democracy so intelligent and so vitally concerned with world affairs as the United States to overlook entirely a federation of almost all the other nations of the world.

And I am convinced that almost no one, either friend or foe, understands what the League actually is. Its friends are tempted to exaggerate it as a panacea for all world ills; its enemies to misrepresent it as a superstate. It is in fact neither, but on the contrary a new link in the chain of human relationships made imperatively necessary by the annihilation of distance as a barrier between states.

It has been a constant effort all through the preparation of these pages to present only plain, hard, concrete facts, in the conviction that the average busy reader is satiated with the flood of generalities about the League and the brotherhood of man. Opposed to this is a very earnest and almost universal desire to know the true facts as they exist today.

This little book comes from a friend of and a believer in the League. I cannot be blind, therefore, to the fact that it may be partial. I sincerely hope not, for I have struggled constantly against that danger. If I have failed, I crave indulgence on the ground of over-zealousness stimulated first by warmth of feeling because a subject so vital to America is so little understood and so grossly misrepresented, and second because there cannot be obliterated from the background of my mind even the slight glimpses of war as I happened to see it during Von Kluck's dash on Paris in those so quickly forgotten days of 1914.

ARTHUR SWEETSER.



CONTENTS

	PAGE
THE WAR	I
THE LEAGUE SKELETON	16
THE ASSEMBLY AND THE COUNCIL	29
THE LEAGUE IN 1914	49
THE PERMANENT COURT	63
THE SECRETARIAT	79
DISARMAMENT	92
MINORITIES	107
MANDATES	122
FREEDOM OF TRANSIT	135
THE INTERNATIONAL LABOR ORGANIZATION	149
THE INTERNATIONAL HEALTH ORGANIZATION	162
ECONOMIC COOPERATION	175
OPEN DIPLOMACY	187
THE LEAGUE AS MEDIATOR	204



THE LEAGUE OF NATIONS AT WORK

THE WAR

ON January 10, 1920, the League of Nations descended from the realm of fancy and became a fact.

Its worst enemies could hardly have wished for a more inauspicious moment. The nations were staggering with debt; the great wound of the World War remained still unhealed; Russia's vast masses stood off to one side, almost outlawed; and the United States, whose phenomenal part in the war had given such hopes for the reconstruction period, had withdrawn its support. Almost any kind of upheaval might have been expected, for the forces of destruction seemed completely to have overcome the forces of construction.

The League came into being quietly, unostenta-

2 *The League of Nations at Work*

tiously, almost automatically, overshadowed during its early months by a world seething in crisis. Men were so desperate with immediate threats of disaster that they did not have time to note the foundations which were being prepared near by, to realize indeed that what seemed to be but a modest breaking of the ground would in time prove of far more import than the preoccupations of the immediate moment.

Potentially the League became at once the greatest fact in international relations. For the first time the great majority of the family of nations was welded together in an organization very strict in its provisions for avoiding war but very simple and flexible in its actual details of organization. By its mere existence it launched the nations upon an era of regular, automatic conference and cooperation as against the previous era of hostile, disjointed competition.

On that day of January 10, 1920, the ratifications of the Treaty of Versailles were exchanged at Paris; the Treaty became effective, and the League of Nations became part of the public law of the world. Automatically thirteen of the Al-

lied and Associated Powers became members, including four of the Big Five, Great Britain, France, Italy and Japan, whose interests reach out into every continent on the globe, and Poland, Czecho-Slovakia, Belgium, Brazil, Peru, Bolivia, Guatemala, Uruguay and Siam.

Far more heartening however than this continuation of a union created in the stress of war was the eagerness displayed by the nations which had remained neutral during the four and a half years of hostilities, to contribute their aid to the formation of a true world organization. Though the Covenant allowed them two months in which to join as original members, all thirteen formally assumed their places beside the other Powers appreciably before that period had elapsed. The list contains states famous for their independence and very powerful in their moral weight, the Argentine, Chile, Colombia, Denmark, the Netherlands, Norway, Paraguay, Persia, Salvador, Spain, Sweden, Switzerland and Venezuela.

Other states immediately applied for admission, Finland, Iceland, Georgia, San Marino, Luxembourg, and the Ukraine. Thus came together

nearly the whole civilized world, Europe, South America, Asia, Africa and Canada in North America. Almost without notice was created the most far-reaching organization ever effected, the nearest approach indeed to bringing all the nations, races and continents about a single conference table. At the first meeting under the League, for instance, forty sovereign states were represented.

This is exactly the sort of thing which has never before existed. The nations have not been able to get together for quick, cooperative action, but have stood far off from each other in proud distrust. The result has been illuminated in the greatest tragedy of the human race. To reduce it to its simplest terms, the World War would not have broken out in 1914, according to Sir Edward Grey, if the mere machinery provided in the League of Nations had been in existence.

Sir Edward Grey knows. More than any other man he strove to prevent the catastrophe. More than any other man he had his finger on the pulse of the world in those humid, desperate days of late July and early August when the world

was shooting down to Armageddon, blissfully unconscious of its fate. Such a statement from him is startling. It immediately challenges proof or disproof.

Most emphatically Sir Edward Grey does not mean that the League is a panacea for all our ills or that it will suddenly throw a spirit of righteousness and unselfishness over men's minds which will make so sordid a thing as war a spiritual impossibility. Human nature runs too deep for that. What he does mean, however, is that the war came into being largely by default, because the forces of negotiation and peaceful settlement marshalled against it suddenly collapsed under the unprecedented pressure and allowed all the rest of the world to cave in behind them.

Sometimes we take a course of action not because it is the course which by sheer desire we should select to take, but because it is the only course open to us to take. In other words, we sometimes get ourselves into a blind alley, where there is only one way out — just as the world in 1914 got itself into a blind alley where all doors were closed except that to war. What Sir Ed-

ward Grey means is that the League of Nations, if it had existed, would have opened several other doors of escape out of the Austro-Serbian imbroglio.

I well remember how in those same August days I found myself swept along in that vast Niagara of men, guns, automobile trucks, soup kitchens and all the other paraphernalia of war which surged over Northern France in the greatest concerted military move in history up to the time of America's crusade to Europe. I had seen the French and British Armies and was now with the German. Borne on over hills and dales, watching the French peasants and the German invaders, seeing the little human relationships that could not but crop up even against the background of flaming villages and mangled bodies, the one great, never resting wonder which churned about in my mind was why an assassin's bullet in a far-off, desolate Balkan town should have so disrupted all these peaceful lives, have torn the Germans out of their shops and factories and schools, have thrown them pell-mell across a friendly state in an orgy of blood, have uprooted the sluggish French peasantry and

left these helpless, dumb-eyed women and children cowering under the scourge of the conqueror.

It was a colossal human tragedy. Not a fragment of these people desired it, even knew it was coming. They were but its unseeing victims, caught up in all its horrors by forces they had not learned to control. Why, why, why? kept ringing in my mind. I realized perfectly well that an evil philosophy had been rampant in Germany; that a tiny minority of misguided men had wormed their way up to the top and poisoned the wells of German super-policy, but even these facts did not give me the answer as to why the peoples of these countries, the intelligent, big-hearted, earnest, friendly masses, should have tolerated a condition from which war was the only issue.

The picture of those fatal days of negotiation returned. I could see great masses of people which we call nations, dull, inert, unseeing, with a tiny fever spot burning in several of them, a spot where a handful of jewelled, perfumed supermen were planning huge offensives, scheming in terms of army corps, writing off ultimata, gambling away the futures of their peoples, all unknowingly

8 *The League of Nations at Work*

to the great human world that went its way outside. Then came the picture of a small Balkan nation set upon by a huge neighbor, surrendering, even humiliating itself; then a larger nation rushing up in all its grandeur to the rescue; then still another charging in in its flaming armor; a picture of the tiny fever spots burning still whiter as they threw the lives of their unseeing millions onto the table; then a series of blind, frantic, misunderstood messages flashing back and forth far above the heads of those who were to pay; and at last the inevitable monster explosion which immersed the world in four and a half years of blood and cost the lives of seven millions of the same kind of innocent people I had seen on both sides of the lines in Northern France.

The catastrophe began without a single conference. The nations were plunged into war by a handful of telegrams which in their portentous official phraseology are even today not fully understood. One false step led to another until the vicious circle was complete. No meeting ground was available, no obligation for discussion exist-

ent. The madmen who had worked for war could generate it without a pretence of discussion, without the simple human act of meeting their opponents face to face, without asking yea or nay of their peoples.

Sir Edward Grey proposed the one human course. He asked that the statesmen get together about a table; that they talk over their differences man to man; that they try to settle them by agreement and not by hostility. But no one heard him. And therein lies the whole great crime. Frantically, even as the flames were mounting, he telegraphed about Europe to this end. They did not hear, first because they did not want to hear, and, second, because they had no obligation to hear. They had *carte blanche* to plunge the world into blood.

For the world had failed to create any adequate machinery to settle international disputes peaceably. There was neither judicial court, arbitral body nor obligation to establish either before running to arms. States had grown and grown in power, each a law unto itself, each in all its

national pride scornful of the others, yet all crossing and recrossing each other until an almost hopeless tangle was created.

Many men had seen the rocks ahead. Back in 1899 the first Peace Conference at The Hague had been called together to create new contacts for this new relationship. The nations approached each other fearfully, self-consciously, distrustfully, above all, haughtily. National pride was all powerful. No one could forget he was the chosen representative of a sovereignty. Under all these inhibitions an attempt was made to create the machinery which might have prevented just such a world conflagration as some of the more far-seeing statesmen realized awaited mankind on the near horizon.

"The duty of sovereign states to promote international justice by all wise and effective means is second only to the fundamental necessity of protecting their own existence," said John Hay in his instructions to the American delegates. "Next in importance to their independence is the great fact of their interdependence. Nothing can secure for human government and for the au-

thority of law which it represents so deep a respect and so firm a loyalty as the spectacle of sovereign and independent states, whose duty it is to prescribe the rules of justice and impose penalties on the lawless, bowing with reverence before the august supremacy of those principles of right which give to law its eternal foundation."

A start was made at those Hague meetings. That start was largely due to American insistence and ingenuity in pressing for a rule of law and arbitration in international relations. A skeleton court was established and a procedure drawn up, all except for the vital question of the method of selecting the permanent judges. National hauteur here broke in, for the small nations demanded equality of representation and the big nations demanded representation proportionate to power.

The Hague Court was created, but only as a promise. The Second Conference, in 1907, stimulated again by the instructions given the American delegates by Secretary of State Elihu Root, carried it on a little further, but not far enough. It remained still a promise expandable

into life if the nations saw fit to use it, but without any real vitality of its own. When the desperate negotiations just before the war were taking place it proved far too undeveloped for the nations to turn to it, even if there had been any real desire to do so. Sir Edward Grey was left without recourse and the opposing statesmen without obligation.

The war thus came into being by default. For four and a half years the curtain was rung down on civilization. But men were thinking, especially in the baffled, dismayed United States, which had led the field in urging the settlements of disputes peacefully and which grasped out in vain to find any real necessity for the holocaust. Fourteen months before we entered the war President Wilson, in two fervent sentences at Des Moines, gave expression to this deepest of America's impulses. Whether or not he was right in his later enunciations of policy, he certainly spoke America's heart when he said:

"I pray God that if this contest have no other result, it will at least have the result of creating an international tribunal and producing some sort

of joint guarantee of peace on the part of the nations of the world."

It did. The lessons of the war ran deep, deepest of all perhaps the lesson of humility. The pride and irresponsibility which had choked all previous attempts at united action were thrown into the discard. In the shambles of Northern France the nations had consented to unified military command; in the desperation of hunger, of burned-out resources, of diplomatic disasters, they had consented to a unified direction of resources.

So when they came to Paris they came chastened and more humble. Out of their past they realized they could cooperate in the future; out of their war sufferings they realized that they must unite to prevent new wars. The arrogant, irresponsible pride which had held the nations apart at The Hague and prevented the development of anything but the paper shell of international cooperation had been curbed. Men's minds were ripe for great advances; were receptive, indeed, to proposals which a few short years before only the most farseeing would have advocated.

In casting the lessons of the war into a charter for the future the little selfish foibles of the past fell helplessly away. The question of international cooperation as against international license stood answered against the grim spectre of 7,000,000 of dead. The smaller niceties which before had appeared as mountains were crushed under foot to make an end to the system of disorganization through whose yawning cracks the war had been allowed to creep. The League of Nations Commissions, representing the better personality of the Peace Conference, built up a whole great new machinery and set in place the scaffolding for still more.

How deplorable it is that it has become almost a mark of fashionableness to discredit everything emanating from the Peace Conference. If only people could realize the hopes and idealisms amid which the League was born! True, there were remorseless pulling and tugging at Paris and much playing of the old familiar game which has proved so disastrous throughout history, but alongside it was another, a newer and a better feeling. Men were writing visions, not of some dread super-

state, but of mutual helpfulness and confidence; and if those visions were blurred in many places by the fears, hatreds, jealousies and greeds of the preceding four and a half years of terror, they remained in large degree pure when the League of Nations itself was conceived.

THE LEAGUE SKELETON

THE best and quickest way to understand just what the League of Nations is, how it is organized, how it functions, and what its actual powers are is to take a bird's-eye view of its various lines of activities. Sometimes we can understand a new subject better by discussing its structure than by the most elaborate analysis of its principles.

Strangely enough, what might be called the personality of the League is known to almost no one outside the League itself. This is all the more curious because there has been the fullest publicity about every step in League organization, even to the extent of detailed explanations of the various projects at meetings of the Council. Yet here again the pressure of immediate emergencies in world politics has thrown a shadow across the broader currents in the relations of states and left visible only the upper surfaces.

Yet the League of Nations should be the most fascinating political story in the world today. It

is the story of a vision, a vision made practicable only by the greatest war in history, a vision converted to reality amidst difficulties, misunderstandings, and dangers sufficient to dissipate any project not supported by the most intense faith and the most dire necessity. It opens up a whole new panorama of world relations and of human activities; shows us glimpses of a world different from any we have ever known; and illuminates a series of political organizations for which we have no precedent.

The League has been frightfully misinterpreted as well by its friends as by its enemies. The former perhaps have sinned as much in their extreme claims of what it can do as have the latter in their glaring misrepresentations of what it may do. The League will be shown to be neither a panacea for all world ills, nor a superstate destructive of national sovereignty. It stands halfway between the two, a means of marshalling what is good in the world in the belief that the good outweighs the bad, but without such powers as will destroy the independence of any of its member states.

Americans above all should understand this new world organization. Our huge world interests demand it. We can no longer play ostrich, as though the rest of the world did not exist. Apart from the fact that we turned the scales in the most gigantic war in history, apart from our moral responsibility as the virtual creators of the League, apart from everything that is gone and past, we will measure our tax bill in terms of world armaments; we will have peace as the world has peace; we will have prosperity as the world is able to take our ten billion dollars of foreign trade; we will redeem our Liberty Bonds as Europe repays us the ten billions she owes us.

We do not today understand the League. There is nothing we do not know about Article X, about the duties, responsibilities and dangers of the League, about sending troops overseas, about interfering in other people's quarrels; all there is to know about that we know, and perhaps a bit more, too. Quite wisely we have sized up the debit side to see just what we let ourselves in for; have, indeed, talked it up hill and down dale these past eight months. But of the actual plans

of the League, of the plans for preventing war, of arbitration, of disarmament, of protecting minorities and dependent peoples, of safeguarding health, of preventing traffic in arms, white slaves, opium and drugs, of the free use of ports, waterways and railways, of the permanent Secretariat, of the home of the League, of its publicity, we know next to nothing.

Yet therein lies the real future of the League. It has been called into being not to usurp the powers of the various nations, but to supplement them in activities which no one government can alone handle. It will deal just as much with the wide human, social problems of the world as with the purely political. If its first aim is to keep people out of war, it will have many more positive and wholly different duties. It is too bad we have overlooked this work, which in a very real way answers the popular strivings for a world which not only has ceased to fight, but which has been made a better place to live in through the co-operation of all its peoples.

A bird's-eye view of the whole League machinery will show these broad channels of activity.

All of us know pretty well the scheme of our own government with its Presidency, its Constitution, its Executive Departments and its Supreme Court, and just by seeing those divisions we see how the whole machinery works. If we could only picture the League in the same way we could easily picture what it is going to do, much more easily in fact than by enumerating the separate duties as unrelated and detached activities not forming part of a single whole.

The League, of course, will have a structure. Regardless of the amount of power intrusted to it, it must have one or another form of organization. Like all human institutions, it will operate through various permanent bodies, commissions and special conferences. Those permanent bodies, commissions and conferences give perhaps the best perspective of what the League is really about.

Already the structure has taken form. One general international conference has been held; the Council has met several times; certain special commissions have been authorized; and a world gathering stands not far off in the future. Unostentatiously the various parts are being set up un-

til in a short time we shall suddenly realize that the international structure is well on the way to its first rudimentary cohesion.

That the League is to have a definite form is no indication whatsoever that it is the much dreaded superstate. That question must be answered not by the form or organization of the League, but by the powers given to it. The League may organize just as far and as fast as it wants, but its organization will be futile if it does not have behind it the legal and moral power to make it effective. So if the structure which I am to describe seems most formidable, let it be remembered that these various bodies have very little inherent power lodged within themselves, but are almost entirely dependent upon the moral justice of each particular action, which it falls to them to recommend to the member states.

Let me first make a distinction. There are in reality two kinds of organizations within the League, the first specifically provided by name, and the second developing out of certain general duties prescribed. In other words, in some cases a specific body is named to do a specific thing and

in other cases a specific thing is agreed upon to be done without, however, providing for a specific body to do it. The first class, bodies specifically created by name in the Covenant or the Peace Treaty, follows:

(1) The Assembly, the world's most august and solemn gathering, a meeting of all the nations of the League, containing perhaps 150 delegates, working under a definite constitution, competent to discuss any matter affecting world peace, in a large sense the repository of final moral authority in international relations.

(2) The Council, a small executive body endowed with greater prestige than any other political organization in history, consisting of nine men representing the five great and four small Powers, to serve as a readily available conference of the nations, to hear disputes, to recommend in emergencies and to be a general steering committee.

(3) The Secretariat, a permanent trained international staff, appointed by the Council, free from political machinations, organized into bureaus corresponding to the work of the League, and created for the sole purposes of gathering

information, preparing plans and data and carrying out the orders of the Assembly and the Council.

(4) The Permanent Court of International Justice, the long-striven-for world supreme court for the settlement of international disputes, especially of a legal nature, to be composed probably of fifteen of the world's most eminent jurists, chosen for ability rather than nationality, sitting permanently and evolving out of their experience a practical code of international law.

(5) The Permanent Disarmament Commission, to prepare plans for the reduction of armaments for the Council to approve and submit to the states as one of the most effective ways of maintaining peace.

(6) The Permanent Mandates Commission, to examine the annual reports of the states given mandates over the thirteen million dependent peoples intrusted to the League and to advise the Council on the execution of this "sacred trust of civilization."

(7) The International Transit Commission, "to secure and maintain freedom of communica-

tion and of transit and equitable treatment for the commerce of all members of the League."

(8) The International Labor Organization, a body associated with the League, consisting of an annual International Conference and a Permanent International Labor Office, to humanize labor conditions, universalize liberal legislation and establish social justice as one of the main bases of peace.

These bodies, specifically provided by name in the Covenant or Treaty, must be created as somewhat distinct personalities within the League organization, to be grouped together into the common scheme by the Assembly or the Council. Besides them, however, several other main currents of work are outlined which must be intrusted to other organizations, such as:

(1) International Health Office, to unite through international cooperation the various national and semi-official agencies seeking to improve health, prevent disease and mitigate suffering throughout the world.

(2) International Bureau Section, to bring together in common association as many as possible of the five hundred existing international bureaus

which cover every phase of international cooperation from postal regulations to the suppression of the white slave trade.

(3) The Public Information Section, to issue the Official Journal of the League, the special Treaty Supplement, the Press Review, and the public statements, as well as to facilitate world transmission of news about the League.

(4) Treaty Registration Section, to certify, register, publish and distribute to all interested parties all treaties henceforth made by members of the League, under the Covenant provision that no Treaty will be considered binding unless so registered and published.

(5) Special Conference Section, to make all the preparations for special conferences called in emergencies, such as the International Financial Conference and the Commission on Inquiry to Russia, both of which were called into being without the slightest effort before the League was four months old.

Such is the scheme of organization. Just as rapidly as possible the details are being filled in. Naturally, however, it takes considerable time to

prepare the plans and secure the highly specialized personnel needed for such wholly new and unusual work. There is no great reservoir either of men or of experience from which to draw. Progress must necessarily be gradual and cautious. It would not have been fair to expect the League to burst forth into immediate, full-blown activity amidst problems so complex and so dangerous as those which it must face. Nevertheless, within the first few months the way was pointed out, and pointed out clearly.

Whether that way be followed depends on the peoples of the world. The League will not function all by itself. It has no mystic self-starter. It is utterly dependent on the interest, imagination and enthusiasm of the public. It will live only through the lifeblood of popular interest.

You cannot create a machine and then walk away and expect it to work of itself. Everything made by human hands or brains, whether a gasoline engine or a political organization, requires the constant presence, stimulation and enthusiasm of its creators. If they stay with it, watch it,

help it, urge it, even drive it, it will move forward. If they do not, it stops.

So with the machinery of the League. Its Assembly and Council, its Court and its Secretariat, its Commissions on Disarmaments and Mandates, its international organizations for health and for labor, will ultimately stop if the peoples which have created them lose interest and turn away. The nations will never disarm simply because there is a disarmament commission, nor submit their troubles to a court simply because a court has been created. Behind the organization there must be the urge. If there is the urge, the organization will be used, will develop, will fulfill hopes.

Here lies the crux of the League's future. The Covenant has been signed; the organization brought together; everything made ready for the impact of popular interest and stimulation. The League will certainly fail if it is regarded as a far-away, distant, impersonal body which will run along of its own momentum, for no body of men in Geneva or any other place, no matter how sincere and devoted, can give life to principles

which should be given world-wide stimulus. The League is on the contrary the personal and representative creature of each and all of us, directed by us to do certain specific tasks not otherwise possible, and responsible to us for their execution.

The success of the League will depend, not on its written powers and its organization, but on the will of the peoples who have created it. Its success will be our success; its failure will be our failure.

THE ASSEMBLY AND THE COUNCIL

SHOULD the United States have more power in the League of Nations than, say, Nicaragua or Siam, or only as much? Looking at our population, wealth, power and civilization, we say more. Nicaragua or Siam, looking at their national sovereignties, say they are just as much sovereign states as we and should have an equal vote.

There we have the great basic difficulty of all international organization. The great Powers have refused, and rightly, to abandon their power. Controlling the world as they do they have not been willing to surrender that control to the small states. Sovereignty may be all right, they correctly say, but it does not carry to the extreme of denying the reality of comparative national strength and responsibility.

But the small states, while recognizing this fact of power, have been equally unwilling, and not without reason, to add a legal basis to it through

any formal recognition. Whenever they get into trouble it is quite simple to say that as national sovereignties they are entitled to all the dignity and position attaching to any other sovereign power.

This is a hard hurdle to get over. But even suppose it can be gotten over, what country can be found which today is willing to put itself in the hands of even its peers? None, most emphatically. Sovereignty is a jealous right which permits no challenge. Consequently, even if we can arrange a system whereby both the United States and Siam can express their views with full satisfaction to both, we must see that neither has the legal right to force decision upon the other.

To steer an international organization through these tempestuous waters is far worse than the classical Scylla and Charybdis. Hard a port we have the rocks of the dreaded superstate; at starboard we have the shoals of the mere debating society; underneath we must sound for the reefs of national sovereignty. To come through even with safety is difficult; to come through without jettisoning cargo has never yet been done.

The League of Nations plan, however, appears to have succeeded. A system has been worked out whereby the big states retain their preponderance of influence, the little states retain their full dignity, and all retain their sovereignty. On the one hand the superstate is avoided—on the other the purposeless debating society. An organization has been attained which leaves unimpaired the independence of action of the nations, while at the same time promising effective cooperation among them.

This has been done by a harmonizing of the two principles. That harmonizing is nothing new indeed, for it is exactly what took place when the thirteen proud and sovereign States of America met to form their union. Each State, regardless of size, was given two votes in the Senate of the United States; then each State was given a number of votes in the House of Representatives proportional to its population. The ideas of sovereignty and power were thus both satisfied.

So with the League. Both an Assembly and a Council have been created, the Assembly to contain all states with a single vote for each one,

and the Council to contain the nine most important states, again with a single vote for each. The little Powers will have their say in terms of full equality in the Assembly; the big Powers will retain their preponderance of influence through the Council. Thus the United States and Nicaragua or Siam are placed in a correct practical relationship to each other, without sacrificing the power of the former or the pride of the latter.

Probably the most curious bogey that has been raised about the League of Nations is that it is a superstate. So simple is it of disproof that one cannot but wonder, first if it does not in reality spring from ignorance, and second how it has become so generally believed. It is a bogey, indeed, which no intelligent public should allow to be raised to becloud a vitally important issue which even in its clearest presentation cannot but be perplexing to a conscientious citizen.

The League of Nations is not a superstate, first because practically all its decisions must be made by unanimous vote and second because even when made they are still but recommendations which the various governments may accept or reject as

they see fit. Neither the Assembly nor the Council, therefore, can become either a world Parliament or a world executive. Quite on the contrary, they will both be but international meeting places for discussion and, if possible, for agreement on policies of common interest to be submitted to the various members of the League.

First as regards unanimity. "Except where otherwise provided," reads the Covenant, "decisions at any meeting of the Assembly or the Council shall require the agreement of all members of the League represented at the meeting." In other words a single dissenting state of the forty-odd in the Assembly or the nine on the Council can block decision by its single vote. It is difficult to see how national sovereignty could be more fully safeguarded.

It is, however, for the action of the League has no validity until it has been accepted by the individual states. It may lay down projects for disarmament, prepare treaties on international labor conditions, suggest the use of troops in certain emergencies, or reach decisions on a hundred and one different international questions, but all

those decisions must be ratified in some way or other by the national authorities before they become binding. The League's sole authority is the moral authority inherent in the decisions themselves and the fact that they come from a meeting of world powers.

Undoubtedly this is a tremendous weakness for the League. Many who know the League best fear that instead of being a superstate it will be powerless. They say that unanimity will be impossible of attainment on nearly all issues. Certainly it will be very difficult. It does not seem reasonable that people should lie awake nights worrying about the sovereignty of the United States when by our single vote we can block action in either body.

Isn't it, then, merely a debating society? you may well ask. No, because when international issues become outlined, there is the strongest possible tendency to so work them out as to form a compromise acceptable to all. Nothing should be adopted by an international organization unless it is acceptable to a big majority of the world, and if it is so acceptable to a big majority it is almost

certain that the small minority will find a way to fall into line rather than bear the odium of blocking all progressive world action. The League of Nations may be a slow-moving body, like the Supreme Court of the United States, but again like the Supreme Court, it will move right when it does move.

The six-votes-to-one issue which has been used so indiscriminatingly against the League of Nations is nearly as hollow as the superstate issue. The rule that unanimous consent is required for all decisions in the Council obviously means that any one nation can block any decision distasteful to it. The same rule applies to the Assembly, with a few specified exceptions, which it is perhaps important to enumerate in order to show in what instances a member of the League could be outvoted by the six votes of the states of the British Empire.

The selection of the four non-permanent members of the Council is by majority vote of the Assembly; the election of new members of the League by two-thirds vote; and questions of procedure and committees by majority. Surely these

cases are vitally important when the whole range of the League is considered and should not be exaggerated into a general charge that the British Empire would outvote other members of the League six to one on all issues. Its six votes indeed are practically valueless for any selfish imperial policy, while at the same time they afford a constant temptation to independence for the various self-governing partners in the Empire.

Let us now analyze the Assembly and the Council as the two outstanding features of the League. Already the Council has held many sessions of considerable world importance, and the Assembly itself is due to come together within the near future. Never in history has there ever been anything comparable to them, for they have now become a part of the organic law of nations, meeting regularly and not spasmodically, as the Hague Conference, and with definite powers.

The Assembly is in the final analysis the most august assemblage in the world, for it is the meeting place of the representatives of all nations, the place where sovereign states come together as peers to discuss the whole range of their common

affairs. Anything affecting the peace of the world can come before it, which in reality means almost anything.

Obviously such a body will be cumbrous and unwieldy. With perhaps fifty nations represented, and each nation entitled to three delegates, you have a membership of 150, which is too large for detailed work. The Assembly discussions will naturally, therefore, tend to confine themselves to the broadest principles, to general codes of law, to fundamental policies such as disarmament, protection of minorities and backward peoples, to the pronouncement of the bases of international law; in short to the main currents of international life and relationship.

Besides this, or perhaps as a direct illustration of this, certain specific powers are granted it by the Covenant, such as the selection of the four smaller nations to be represented on the Council; approval of the Council's choice for Secretary-General of the League, admission of new members, and amendments of the Covenant. These powers are important, for they influence the composition of the Council, control the formation of

the Secretariat and affect the membership and constitution of the League itself. This last power, for instance, means the admission or the exclusion of Germany and Russia.

The first meeting of the Assembly was to have been held in Washington in 1919. The Treaty situation here, however, made that impossible, and also delayed the whole process of forming the League overseas. By the time of the meeting of the Council in Rome on May 19, however, everything was in order to request the President of the United States, who is entrusted with that task in the Covenant, to summon the first session to meet in Brussels in November, 1920. Four months, it was estimated, will be required to distribute the agenda, allow the proper study by each government, and make the arrangements for travel, quarters, interpreters and all the other details essential to a smooth-running meeting.

Thus for the first time the nations of the world come together under a written constitution and with certain definitely defined powers. This Assembly will be as different as possible from those Hague meetings which met almost at the whim of

an individual, had no definite powers or constitution, very little preparation, and practically no obligations.

These Assembly meetings will be a most important factor in moulding international public opinion. They will help the public all over the world to think internationally, to look at public affairs not only from the sectional point of view, but also from the broad human international point of view. The periodic debates will create a strong body of international opinion behind and in support of the League and give people their first opportunity of hearing world subjects discussed from an international platform, neutralizing narrow national prejudices.

Obviously, however, an Assembly of 150 members is too cumbrous to manage the ordinary ruck and run of international difficulties. It would take too long to get it together; there would be too much speech-making and too many merely obstinate expressions of individual opinion to make it an effective executive body. If it were the only mechanism of the League the League would grind ponderously along, enunciating broad

principles, never reaching troubles until they had become desperate, and probably in the end foundering in its own ineptitude.

Hence we have the Council. This is a small body of nine members focussing the political and moral power of the world about one small table. Undoubtedly it possesses greater prestige than any political body in history. For though its votes must be unanimous, and even then take the form merely of recommendations to the various states, nevertheless when it is considered that it is composed of representatives of the nine greatest world Powers acting under instructions from home, its recommendations will prove extremely powerful.

Yet there is always the safeguard that those recommendations can be given only on unanimous vote. For instance, no recommendation embarrassing to the United States could be made without the approval of the American representative, who would of course be controlled from Washington. This is a great limitation of power, to be sure, but a limitation necessary in these days of jealous sovereignty. Yet the power that remains is tre-

mendous. Never before has machinery existed to marshal what may be called the effective moral and political opinion of the world.

The method of organization of the Council is vital; also ingenious. While the Assembly includes all states, the Council as an effective executive body must naturally be a selection of the most powerful. In order to harmonize all viewpoints, agreement was finally hit upon that the great Powers should sit permanently and the little Powers sit in rotation and in proportion to their world influence.

The most powerful states were easily selected. Obviously they were the Big Five which had won the war, the United States, Great Britain, France, Italy and Japan. There could be but little contest on this score. Certainly none of the other Allied nations could dispute these realities of power, and no great neutrals existed. Certain big states were left out, notably Germany and Russia, but places were consciously held open for them upon qualification. Here then was a ready-made nucleus for the Council.

But that nucleus left open the question of the

small states. Obviously they must be represented, but in what proportion? If there were but five great Powers, there must certainly be less than five little Powers; otherwise the little Powers would overturn the balance and the big Powers would refuse to take part. Finally it was agreed that the proportion would be five to four, which is a more generous basis of recognition than the little Powers have ever before succeeded in securing. The Swiss well point out that the big Powers control 700,000,000 of the peoples of the world, as against 550,000,000 controlled by all the other League members.

This again, however, left open the method of the selection of these four Powers from the forty-odd candidate states. The first four states to be represented were arbitrarily chosen by the Peace Conference, to include Belgium, Spain, Greece and Brazil, which is not such a bad representation. But the length of time of membership and the consequent method of replacement was left open, except that the decision was a function of the Assembly.

The little Powers do not like this uncertainty.

They want to have a method in their selection. So already they are proposing various schemes of rotation, whereby each may be assured membership in turn. This is wholly in line with the desires of the big Powers, and will undoubtedly be worked out shortly. One of the most cherished provisions is that any state not a member of the Council may sit as a full member if its interests are particularly involved.

The duties of the Council cover the whole range of international relations. Anything endangering the peace of the world, any threat of war and any dispute likely to lead to a break fall within its field. It is the supreme conciliation body to which disputes not referred to the Permanent Court must be submitted before war is declared. It can take up any question that it sees fit to take up.

Besides it has many specific duties. It is charged with certain territories intrusted to the League, such as the Saar, Danzig and the mandated territories. It shall submit plans for disarmament, for the protection of nations against external aggression, and for the employment of the boycott or other measures against a nation

breaking faith. It will do the day-to-day work, meet all sudden emergencies and prepare all questions for the Assembly.

The Council has met frequently during the early life of the League. Its meetings have ushered in a new spirit in the relations of states. The League may or may not become all that its supporters hope, but at least it has already marked a big step forward. Read the description of the first historic session as sent by Mr. Edwin L. James to the *New York Times* January 16, 1920:

"The League of Nations is a reality. Modestly and democratically, it began to function this morning at 10:30 o'clock, when the Executive Council opened its first meeting in the Clock Room of the French Foreign Ministry.

"Nine men gathered about a green-covered table in one end of the salon of crimson and gold and put in motion the machinery of the most ambitious experiment in government man has ever essayed, while a hundred or more diplomats from the four corners of the earth looked on. The nine men gathered about the table started a work

which may influence the lives of untold millions of humans for centuries to come.

"It was significant of the dawn of a new political era that this council of statesmen was so largely attended. It had the effect of robbing the session of some of the dignity which has usually attended the meetings of statesmen. The Clock Room was crowded to the doors, with many standing, so that the green-covered table and its nine men were almost obscured. Lloyd-George was among the spectators, and so were some stenographers attending unofficially. The crowd was democratic and mixed in its make-up. Men of all colors and all stations in life saw the League start. Therefore the seeming lack of dignity might be a virtue rather than a fault."

Following this meeting in Paris, a second was held in London on February 11, a third and a fourth in Paris on March 13 and April 9, and a fifth in Rome on May 14. Big work was done at these gatherings, in short the organization work of the League. Without attempting to go into detail, the Permanent Court of International Jus-

46 *The League of Nations at Work*

tice, the International Health Office, the Permanent Armaments Commission, the Permanent Commission on Freedom of Communications and Transit, and the Permanent Secretariat were all started on their way. In addition much political work was done. The Saar Valley Governing Commission and the High Commissioner of Danzig were appointed; the obligations for the protection of Polish and other minorities were assumed; and the status of Armenia fully discussed with the Council of Premiers.

More indicative, however, of the quickening value of the Council upon international relations, was its action on the Russian and financial situations. Here were two great crises facing the world, one the relations of the non-Bolshevist nations to the Soviet and the other the world's desperate financial situation. Under the old system international cooperation would not have been possible in either case without the greatest formality and pompousness and a delay which would probably have negated the results. Under the League, however, a Commission of Inquiry to Russia and an International Financial Conference

were both set under way with only a few minutes' discussion, assuring immediate, world-wide co-operation on these two vital subjects.

The Council is a business body. It is organized to secure results; consequently its method of procedure is interesting. The agenda of the meeting is prepared by the Secretary-General in consultation with the presiding officer; a full study of each subject is made by the members of the Secretariat and circulated a month before the meeting; the subjects are then divided up among the various Council members; each member then makes a study of his special subject aided by the permanent official who has prepared it; an informal business meeting is then held for discussion; after which the public session is held, with each member reporting fully the subject entrusted to him. This system brings about the closest liaison between the permanent staff and the Council members; assures adequate preparation; gives opportunity for private discussion; and registers the final results in a public session.

The greatest fact about the Council is that its meetings must be at frequent intervals and at least

annual. In other words, the nations of the world have agreed to come together in executive session at least once a year. At that time the world's effective moral and political power will meet about a common table, in a session small enough to do business, to consider any sore spot that may have arisen among the nations. If there is anything in the theory that an ounce of prevention is worth a pound of cure, we have it here. What would this system not have meant in July, 1914?

In the Assembly and the Council, then, we have the top of the League, the one the general meeting ground of all nations, the other the small executive committee of the most powerful nations. Through this double system we assure both a general gathering of all states and a frequent gathering of the important states. In other words we harmonize the claims of sovereignty with the realities of power.

THE LEAGUE IN 1914

JUST what might have happened in those desperate days of late July and early August, 1914, if the League of Nations had been in existence may well be discussed at this point. For Sir Edward Grey's statement, that if the League machinery had been available the World War would not have taken place, is almost staggering in its boldness. It cannot pass unchallenged. Let us analyze, step by step, the various courses which would have been open as perhaps the best way of seeing just how the League would have operated in mankind's supreme crisis and how it may be expected to operate in future crises.

What, in essence, was the dispute between Austria and Servia? That is a vital question, because the Covenant which we are to apply to that crisis recognizes two distinct kinds. Broadly, international differences revolve about points either of law or of policy. They may, consequently, be

settled either by judicial or by political action. You may go to court to find out what the exact facts are or you may go to arbitrators who will attempt by compromise to harmonize two conflicting lines of policy.

There is all the world of difference in these distinctions. The line is no mere academic one. In the lives of individuals, to be sure, it has largely been obliterated, because individuals submit, indeed, must submit, to the supreme authority of the state. In international affairs, however, no such supreme authority exists or is likely to exist. States may be willing to accept court findings as to facts or law, but they are and will be chary of binding themselves to accept decisions as to policies.

Two radically different processes are provided in the Covenant to meet these different cases. Provision is made for the settlement of disputes both by arbitrators dealing with policies and compromises, and by judges dealing with facts and laws. For the former, the Council or the Assembly is to be a general solvent; for the latter a Permanent Court of International Justice with

world-famous jurists and a constantly increasing body of international law is established.

The dispute between Austria and Servia centered about alleged Servian attempts to stir up the Serbs within Austria to a revolt against the Austrian Government. Questions of fact undoubtedly were involved, but in the main the trouble ran so deep as to be undeniably political. This is well shown by General Smuts' admirable definition of this type of case:

"We are here in the region of the most dangerous and intractable causes of war, where passions run high, not only among the disputants but among their partisans. The issues are generally vague and intangible and spring from special grounds of national psychology. They involve large questions of policy, of so-called vital interests, and of national honor. It is round these issues and questions that national and international passions gather like storm clouds until the thunder of war can alone clear the air again. They cannot be disposed of along judicial lines. Above all they require that tactful, diplomatic negotiation and conciliation which great statesmen know best how

to bring to bear on delicate and dangerous disputation."

Exactly such was the Austro-Servian dispute. Exactly such also, was the procedure which Sir Edward Grey attempted to apply to it before the war was finally touched off. He failed, because both the machinery and the obligation to use it were lacking. Austria was free to careen madly ahead; indeed found a positive advantage in so doing. But Sir Edward Grey's pitifully human plea, that it could all have been avoided, remains with us to prove or disprove in the last smouldering horror of the holocaust and as the best precaution against a repetition.

To begin at the very beginning. The moment the Austro-Servian crisis had developed into a threat of war, it would, under the Covenant, have automatically become a matter of concern to every member of the League. This most emphatically does not mean that any obligation whatsoever would have been imposed on the states; it simply means that they would have had the fullest right to consider the matter their own if they saw fit. At any moment from the flash of the assassin's

bullet at Serajevo to the bombardment of Belgrade, any nation would have been free to intercede in any way it thought best to preserve world peace.

That would have amounted to very little, you may retort. Perhaps so, for nations will always be gingerly about interceding in a quarrel not their own. But it is a decided advance over the previous theory that each nation is so self-sufficient in its own narrow pride that it stands superior to any action not its own immediate concern. Law-breakers tend to be held back by the knowledge that a threat to the world's peace is not exclusively their own private business, but is the business of every nation in the League.

The second step goes much farther. Any nation may bring about a meeting of the Council whenever it thinks there is a threat of war. Consider what this would have meant in 1914. Sir Edward Grey would not have had to bombard all the main capitals of Europe with telegrams in the vain hope of getting the nations about a common table to which not one of them had the obligation and not all of them the desire to go. He would

simply have notified the Secretary-General of the League, who would have automatically invited the nations to their regular meeting place. If some had not come the guilt would have been obvious. If they all had —

Instead then, in the future, of a lone statesman frantically endeavoring, even as the guns are being unlimbered, to get the nations to do the simple, human thing of meeting together to try to find a way out short of war, we have assurance that the minute an international sore begins to fester, the world's leaders will gather almost automatically to try to cure it. And this does not mean merely the European nations, with their particular, ingrown difficulties, nor the so-called big Powers, with their mutual jealousies, but rather the representatives of all four continents and of all kinds of peoples.

This is a sort of general blanket insurance applying to cases in which the nations taking action may not be primarily concerned. The far more difficult thing is to get the nations to bring in their own individual troubles for settlement. But here a revolutionary principle has been accepted, a

principle for the peaceful settlement of international disputes for which the United States has been striving ever since the first Hague Conference. While not finally prohibiting a just war, it is the greatest single step ever taken towards the reign of peace in the world.

"The members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter, either to arbitration or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report of the Council." This single sentence of less than sixty words, to which nearly two score sovereign states have pledged themselves in the Covenant, constitutes the greatest advance towards compulsory arbitration possible to sovereign states.

Suppose this had been in existence in July, 1914. Is it conceivable that the Great War would have come about? Picture how there would dissolve before such an understanding the hurried ultimatum to Austria, the secret mobilization of Russia and Germany, the futile criss-cross-

ing of telegrams, the final pell-mell catastrophe when the nations almost tumbled over each other to be the first into war. Three months of grace; three months of the operation of all the world's corrective forces stimulated by a keenly alert, fully conscious world public opinion, what would they not have meant?

This then will be the chronology of the future. A dispute will mount in bitterness; one nation or the other will request arbitration or judicial settlement, or a third nation may call a Council meeting; the world will know all the facts and the seriousness of the crisis; the Court or the Council will go into session in the spotlight of world attention; the former will report within a reasonable time, the latter within six months; the findings will then be made public to the world; three long, full months will pass for the whole human family to think it over; and then any nation, if it has the hardihood to do so, is free to go to war, except against a nation heeding the award.

To go back to the Austro-Servian crisis. Any nation, Austria, Servia, Great Britain, Argentina, the United States might have brought it before the

Council as endangering world peace. The Secretary-General would at once have made a full investigation. Both Austria and Servia could have submitted statements of their case, with facts and figures and photographs and annexes which the Council would have been free at any moment to give to the world.

The Council would have tried to reach an agreement. If, apart from the interested parties, it had reached a unanimous decision, it would have published its report and its recommendations broadcast. The interested parties would have been under no obligation to accept; the extent of their agreement would have been to wait three months before declaring war.

But, possibly the agreement would not have been unanimous. Germany as the ally of Austria might have stood out against the others. In that case the majority or indeed any member of the Council would have been free to issue a statement as to the facts and the conclusions. This might not have prevented war, but it at least would have thrown the situation into bold relief before the bar of world conscience. How much better

this would have been than the blind vagrant way in which the various publics blundered into hostilities in 1914.

Any dispute may be referred by the Council to the Assembly or taken out of the Council into the Assembly at the request of either party two weeks after initiation. This in a measure corresponds to the old law that a man is entitled to a hearing before his peers, for in the Assembly all nations are represented as political sovereignties and even the smallest is entitled to a free decision. Hence if Servia had feared political discrimination in the Council, she could easily have moved her dispute up into a meeting of all world states.

Admittedly, there are loopholes in this plan. Anything absolutely water-tight would not be permitted. The nations have pledged themselves as far as they can reasonably be expected to pledge themselves. They have laid certain limits, voluntarily, on their previously unrestricted right to make war in recognition of their common responsibility to maintain world peace. War is still permissible, would have been permissible in the Aus-

tro-Servian crisis, but it is rendered extremely improbable.

There still remains the possibility that Austria would have elected to tear the Covenant to pieces, that she might have thought her hour of destiny had sounded. Against that sort of desperation, of course, no human precautions can be absolutely certain. Nevertheless, the strongest possible deterrents have been provided. If Austria had violated any of these provisions, she would ipso facto have committed an act of war against every other member in the League.

The immediate, automatic consequence would have been the severance of all relations, economic, financial and personal. Very doubtful it is that she would have flown in the face of this contingency, because she would have seen herself cut off, with one sweep, from all the rest of civilization, except perhaps such nations as she had seduced to follow her lead. Few states indeed, could afford such a penalty as the price of striking quickly in war.

Military measures would also have loomed in

the background. The moment Austria had broken faith, the Council of the League would have met to recommend to members of the League what forces, if any, they should contribute to protect the covenants of the League. This recommendation would have been purely a recommendation. It would have had no binding effect on any nation. The various Parliaments would have taken it or left it as they saw fit.

The French wanted to go much farther than this. They wanted an international staff, possibly an international force, to be always ready for such emergencies. It was President Wilson, it may be a surprise to many Americans to learn, who said, most emphatically, "No." He pointed out that the American Constitution makes it impossible to send American forces overseas without the specific consent of Congress which alone has the power to declare war. Nevertheless, there can be but little doubt that if any nation seeks to run riot through the world, powerful military and naval forces will at once be raised to bring her back to her proper position as a law-abiding, treaty-respecting member of the family of nations.

Austria might in 1914 have broken through all these checks to war. Or she might have complied with the requirements and still have made a legal war. Force will not for a long time be taken out of international affairs, any more than force is taken out of the life of a state, as is so fully recognized by the unrestricted right of revolution. But the League affords so many positive checks and so many ways around that Sir Edward Grey's startling statement that it would have prevented the World War is not overdrawn.

At the present moment, France cannot go to war with Italy, Japan with England, Peru with Chile, Holland with Belgium, Sweden with Norway and so on through the twoscore nations already members of the League, without submitting their dispute to arbitration or conciliation, and even then not until a report has been made public to the world and three months have elapsed for world opinion to function. This is the greatest fact of present-day world politics.

In this chapter I have described only the political settlement of international disputes. In the next I shall describe the judicial settlement

62 *The League of Nations at Work*

through the Permanent Court of International Justice provided in Article XIV of the Covenant. By many this latter is regarded as the League's greatest contribution to world peace.

THE PERMANENT COURT

THE first important act of the League of Nations was to appoint a Commission to bring into being the Permanent Court of International Justice.

This is indicative. Such a Court stands closer to the hearts of the nations than any other phase of international relations. Yet until the League was born, it had not been possible to create it. The Hague had tried, and tried well, but nevertheless had failed. It required the havoc of war to loosen men's minds and prejudices sufficiently to harmonize the conflicting views.

Approval of the creation of the Court was practically the only decision arrived at by the Peace Conference without dispute or argument. Running back through my memory and finding no lingering details of the circumstances of its insertion in the Covenant, I asked another American who had been most intimately connected with the work:

"Why, it was simply proposed and adopted. That was all."

"But was there no argument?"

"No, every one agreed to it. There was nothing to argue about. To tell the truth it went through so automatically that I remember very little about it."

So the seeds cast to the four winds by the Hague Conference bore fruit through the spirit of cooperation and humility engendered by four and a half years of horror. The Court which had been the ideal of all clear thinkers as one of the best methods of avoiding war gave hopes of becoming a reality. That it was made item number one on the League agenda is heartening to those who urge international cooperation as against international license; and by the same token discouraging to those who see in the League naught but Article X, politics and responsibilities.

So keen was the world interest in this Court that hardly was the ink dry on the Covenant than criticism at once broke out because its details had not been more fully amplified. Article XIV was recognized not only as containing one of the most

hopeful phases of League work but also as containing one of the least developed. If other provisions had been so thoroughly worked out, why, it was asked, was this provision relegated to a future Commission? The Swiss official analysis said that "one of the great omissions of the Covenant is that it does not organize a tribunal"; Mr. Root expressed a general American viewpoint when he proposed a reservation greatly amplifying this line of usefulness; even the official commentary issued by none other than the League of Nations Commission itself said:

"The Permanent Court of International Justice is essential for any real progress in international law. As things now stand, the political rather than the judicial aspect of the settlement of disputes is prominent in the Covenant, but 'political' settlements can never be entirely satisfactory or just. Ultimately and in the long run, the only alternative to war is law, and for the enthronement of law there is required such a continuous development of international jurisprudence, at present in its infancy, as can only be supplied by the progressive judgments of a Per-

manent Court working out its own traditions."

No time, therefore, was lost in taking the first steps. Indeed, long before the League was officially in being, a preliminary list of jurists had been picked out and a letter prepared ready for approval at the earliest possible moment. So, when the Council met in London on February 13, for what was practically its first business meeting, the first item on the agenda was the launching of the Court.

To Leon Bourgeois, former Premier of France and a moving spirit through the early Hague days, fell the honor of presenting these plans at a public session of the Council. "If justice is to reign," he said, "it must have a permanent instrument to its hand; it must take some tangible form which will make its existence felt among the peoples and give the support of its powerful, impartial and supreme authority to those whose weakness is only too often undefended. . . . From all parts of the devastated and tormented world rises a cry for justice. The military and moral unity which for five years has held the free peoples together and concentrated

their efforts in the defense of right must survive with our victory; it can find no nobler expression nor more splendid symbol than the establishment of a Permanent Court of International Justice."

An Organizing Commission was then named which justified the highest hopes. It was composed of admittedly the greatest jurists in the world, representing both the several great branches of the human family and the various traditions in international law, Akidzuki of Japan, Altamira of Spain, Bevilaqua of Brazil, Descamps of Belgium, Drago of the Argentine, Fadda of Italy, Fromageot of France, Gram of Norway, Loder of Holland, Phillimore of Great Britain, Vesnitch of Jugo-Slavia, and Root of the United States.

Regarding Mr. Root, Mr. Balfour said: "It may be that Mr. Root for one reason or another will not find it possible immediately to accept, but the Council desire formally to put on record that Mr. Root will always be welcome at whatever stage of our proceedings he feels it within his power to add to our deliberations the great weight of his learning and his name." It will ever be

a source of gratitude to those connected with the League organization work that Mr. Root proved himself above the political struggle then wracking his own country, and not only accepted the invitation at once, but accepted it in the biggest and broadest possible spirit.

Announcement was therefore made at the Rome meeting of the Council on May 19 that all of the jurists invited to serve had accepted except Mr. Akidzuki, who had asked to be replaced by Mr. Adatci, and Mr. Gram and Señor Drago, both of whom asked to be excused because of health and age. The Committee convened in London in mid-June, where it found before it all the pertinent documents collected by the expert secretariat of the Court.

This Commission has an enormous task before it. It is not so much the task of plowing a virgin field as of finding its way through the immense mass of material submitted. Unlike the principle of the political settlement of international disputes, that of judicial settlement is rich in history and tradition. Much was done at The Hague; much also in independent negotiations between the

states; but still more has been opened up under the stimulus of the Covenant.

For, immediately the Covenant was adopted, the nations outside the Peace Conference broke in on the discussion. The German counter-proposals went into great detail in their plans for a Court. The Austrians submitted a long memorandum by Professor Lammasch, who had stood high in this work in the past. The Swiss presented the Conference of Neutrals at Paris with their elaborate plan. Norway, Sweden and Denmark named a joint Scandinavian Committee which submitted proposals to the League long before the League was officially in being. The Dutch offered the plan of their official League of Nations Commission and in February brought about at The Hague a conference of the five small European neutrals who agreed on an identical constitution for the Court.

Unofficial bodies have also cooperated. The Inter-Parliamentary Union has submitted a plan; the Conference of the League of Nations Union at Brussels passed rigorous resolutions calling on the governments for immediate action. Indeed,

public opinion in all countries has been stimulated more by this opening towards peace than by any other. The Permanent Court fell upon ground made fertile by years of effort and not exhausted by the bitter opposition to which other phases of League activity have been submitted.

Read what Mr. Root, American member on the Organizing Committee, said of such a Court in his instructions as Secretary of State to the American delegates to the second Hague Conference in 1907. No one ever summarized the possibilities and the difficulties of judicial settlement of international disputes more effectively or ever gave a greater stimulus toward its establishment than when, in those days of extreme state pride and general suspicion of cooperation, he said:

“The principal objection to arbitration rests not upon the unwillingness of nations to submit their controversies to impartial arbitration, but upon an appreciation that the arbitration to which they submit may not be impartial. It has been a general practice for arbitrators to act, not as judges deciding questions of facts and law upon the record before them under a sense of judicial

responsibility, but as negotiators effecting settlements in accordance with the traditions and usages which affect diplomatic agents. It very frequently happens that a nation that would be willing to submit its differences to an impartial judicial determination is unwilling to submit them to this kind of diplomatic process. If there could be a tribunal which could pass upon questions between nations with the same impartial and impersonal judgment that the Supreme Court of the United States gives to questions arising between citizens of different states, there could be no doubt but that nations would be much more ready to submit their controversies to its decisions than they are now to take the chances of arbitration. It should be your effort to bring about in the Second Conference a development of the Hague Tribunal into a permanent tribunal composed of judges who are judicial officers and nothing else, who are paid adequate salaries, who have no other occupations and who will devote their entire time to the trial and decision of international causes by judicial methods, and under a sense of judicial responsibility."

Such is the object. Let no one think, however, that it is simple of attainment. Several pitfalls lurk along the roadside; pitfalls which proved fully sufficient to wreck the Hague plans. But the nations now approach them with a greater humility and a lessened pride. They have learned to cooperate in the supreme crisis of the war; they have found that united action does not mean surrender of sovereignty; they are willing to make sacrifices of purely national egotism to avoid another world conflagration.

Most important, indeed fundamental, is the method of the appointment of the permanent judges. Obviously the Court will be useless if the nations do not have confidence in its personnel. They must all have a voice in the selection, be assured that the men chosen will be as nearly impartial as is humanly possible, and be guaranteed against the sitting of any judge who might be, even unconsciously, prejudiced.

It was on this rock that the Hague Court split to pieces. The nations could agree on the procedure, the details of submission, indeed all else involved, but they could not agree on the great

human problem of what men were actually going to be entrusted with making the decisions. The little states, proud in their sovereignty, stood out for a full equality of selection with the big Powers, and the big Powers refused to allow their preponderant strength to be overlooked or to entrust their fate to men chosen largely by the small Powers. So they had to announce the Court without announcing the judges — a skeleton.

Now the many plans submitted to the Commission provide the most ingenious ways around this difficulty. Without analyzing them in detail, the high points running through them follow somewhat this course. First the men shall be chosen not for their nationality but for their eminence in international law. This may seem impossible in the present hodgepodge relationship of states, but suggestions have been made which seem nearly water-tight against any nation packing the court, while at the same time assuring both the choice of the most eminent jurists and also a proportional division among the bigger units in the family of nations.

The Swiss, for instance, and the Germans also, propose that each state shall name, say, four eminent jurists, of whom one shall be a foreigner. This will make a large panel. From that panel each state will then name its first fifteen choices, and the fifteen men securing the highest number of votes shall be considered elected. Obviously only the best known men can run this gauntlet and the best known men are usually found in the big countries. At the same time, however, the small countries have a somewhat disproportionate voting power and can unite to secure an appreciable representation. A South American member, for instance, is practically assured, as is also one for the Northern European neutrals, while it is possible the five great Powers will insist on permanent representatives.

When a case comes before the Court, a varying number of judges may sit according to the different plans submitted. Most all, however, debar any national from sitting in a case in which his own state is involved, and at the same time give either party to the dispute the right of challenge of at least several of the judges first selected.

Some of the plans go even farther to remove nationalistic influences from the Court, as in the Austrian plan, where it is provided that not more than one national from any state may be selected.

How far are the decisions arrived at to be binding? "The members agree that they will carry out in good faith any award that may be rendered," the Covenant says, and that "in the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto." In other words no nation could repudiate a finding of the Permanent Court without repudiating its own national honor and good faith, and at the same time laying itself open to a possibility of coercion by the other states. That is a powerful drawback, even though, as General Smuts says, "the award of such tribunals has in almost all cases been carried out by the states against whom the decision was given."

The Scandinavian plan would admit of no appeal unless a wholly new fact could be established. The Austrian plan would not only consider such decisions as final, but would obligate the League members to enforce them against any recalcitrant

state. While it is not probable that a definite obligation for enforcement will be adopted, opinion is unanimous that there will not only be the strongest opprobrium behind any repudiation of a Court finding but also the very real threat of positive action by other League members.

Then again, what system of law is to be applied? For the different legal systems among the larger units of the family of nations vary widely one from another. Anglo-Saxon law is quite different from Continental or Napoleonic law, and Napoleonic law in turn quite different from Slavic law. Nevertheless, a very appreciable body of precedent has been built up in the years of quiet development of international law.

Most vital of all perhaps is the question of interpretation of the Covenant. This will undoubtedly rest with the Permanent Court. In this matter a worthy precedent is at hand. As the first decisions of the Supreme Court of the United States amounted practically to an elucidation of the Constitution, so the first decisions of the Permanent Court will amount to the laying of the

groundwork of international law upon which the Covenant will rest.

But undoubtedly the Organizing Committee will recommend that as much as possible of this confusion be cleared away by common agreement among the states before a specific case shall arise to add a new complication. Therefore, it is to be expected that definite plans will be announced for restatements of international law, especially as the World War so shot to pieces what general understandings the world had arrived at. The great movement that is now astir throughout the world to reconstitute these shattered principles will undoubtedly find response.

All this must if possible be decided in the weeks before the first assembly of the League. The Organizing Committee set to work in June to analyze all the plans submitted and will submit its finally worked out draft first to the Council and then as the final step to the Assembly of all states in November. At that moment would come into being, as the second part of the scheme for the peaceful settlement of international disputes, the

Permanent Court of International Justice, composed of jurists beyond the charge of favoritism, representative of the wider currents in world life, supported by a world sense of justice and a possibility of force, equipped to render a just decision on any question of fact or law, evolving out of their experience a common code of the nations — in short the great, impartial, international Court which men have sought for generations as the best method of settling disputes between nations.

THE SECRETARIAT

AMERICANS would be most intensely interested if they could visit for a few hours two large comfortable buildings in London where one of the most novel innovations attempted by the League of Nations is temporarily located. They would find there a group of men from many countries, French and Brazilians, Americans and Dutch, Japs and Norwegians, British and Swiss, all working together and somehow getting along together in one small compact organization; rubbing elbows every hour, and harmonizing ideas, ideals and standards as variegated as those of the forty different states in the family of nations.

They would find, in short, the machinery of the League, the international organization which aims to be as impartial and as trustworthy as this imperfect world of ours allows, and which has already become the central administrative nerve center for the widely different phases of League activity. They would find the organiza-

tion which has so far done all the preliminary spade work, as it were, which has prepared the data for the Council meetings already held, and which will be the permanent expert non-partisan core of League activities.

Such a thing never has been attempted before. It is called the Secretariat. Even its name, I imagine, will ring a little queer to most Americans. Few of us can recall ever having encountered any such institution, yet we of all people should understand it, as we of all people understand the mechanism of politics. And the spirit which underlies it is a spirit which cannot but appeal to us, for unless that spirit develops into full fruition, one of the greatest hopes of effective international cooperation must be abandoned.

This spirit may be seen in an illustration which in itself perhaps is unimportant. No member of the Secretariat may accept honors or decorations from any government. They must be as truly free from such influences as possible. "They act," says one of its memoranda, "in an international capacity and are not in any way representatives of their own country." Consequently

they must be impartial. The Secretariat would utterly fail if it were shot through with national cliques and intrigues. An international body containing men from all nations, it is responsible, not to any one nation, but to the Assembly or Council representing all nations.

The Secretariat is not the place for political activity. Two bodies have been constituted for that purpose, the Assembly and the Council. Before them each nation has its individual delegation, whose sole task is to be the spokesman of the national viewpoint. In both these bodies the clash of political opinion will take place and the differences in policies be harmonized. What above all else both the Assembly and the Council need is a permanent skilled body upon which it can rely to provide the necessary facts and do the necessary secretarial work.

This is a very new principle. It sends cold shivers down the backs of the old diplomacy which made something of a business of keeping the nations of the world apart, and raises wholly unnecessary fears among intense nationalists who believe that any attempt at international cooper-

ation may weaken the spirit of provincialism. Both views are exaggerated. The Secretariat will be a vitally important part of the League of Nations, but it will not in any sense be the dominating part.

In all political action three processes are necessary; first to collect the facts, second to form the judgment from those facts, and third to see to the execution of that judgment. The middle of these three functions, so far as the League is concerned, is cared for by either the Assembly or the Council. Neither of them, however, is equipped to handle the detail work required in the other two. They are too spasmodic in meeting, too temporary in personnel, too partial in composition.

So we have the Secretariat. Such a body is foreseen in every League of Nations plan. Even the Germans provided for a "chancery" to "form the common bureau of the official bodies of the League." The Secretariat becomes by universal consent the permanent staff of the League, keeping things going, oiling and greasing the wheels, investigating, analyzing, planning and

reporting. It is the agency through which the deliberative bodies such as the Assembly, the Council, the Court, the Health Office will work, the trained civil service, if you will.

Theoretically, of course, it has no power of initiative. Its task is to do what it is told by the deliberative bodies to do, especially to carry on the relations between the various nations and the League and to coordinate the various activities. Actually, however, it will have very considerable power, all the power indeed which is usually attracted to a body preparing information and recommendations. If the spirit behind it is permitted to develop, the League's chances for success are great; if not, they are seriously threatened.

Curiously enough, the Secretariat has been in existence and at work for nearly a year without the world sensing the importance of what it was attempting. The work of organization began even before Germany signed the Peace Treaty. It had to, indeed, for the Treaty quite mercilessly thrust many duties on the League the moment it officially came into existence. An agency had to

be created to be fully functioning when the Peace finally arrived.

The job was no simple one. It fell to Sir Eric Drummond, who was selected as the first Secretary-General by the Plenary Conference of April 28 when final approval was given the Covenant. Drummond probably knows as much of the inside of world diplomacy of the past two decades as any man living. He has been chief assistant to Great Britain's leading foreign statesmen, one after the other, having been private secretary to Premier Asquith from 1912 to 1915, then to Sir Edward Grey till 1916, and finally to Foreign Secretary Balfour, with whom he came to the United States a few weeks after we entered the war. He is a man of attractive personality, a hard worker, and, above all, well poised.

On the fifth of last May, he was told by the Organizing Committee to go ahead. He picked out a few men, accepted the offer of Sunderland House in London as temporary headquarters, and moved across the Channel in June, as much as anything to be away from the atmosphere of Paris. But the job was a hard one. There was too much

unreality about it. The early days were days of hope, faith, and, above all, waiting. Every one felt attached to something which did not exist, dangling as it were in midair. They argued, planned, drew memoranda, but in the busiest moments the thought suddenly came that perhaps after all the League would never eventuate. It seemed like building houses of cards.

Nevertheless, the work is now well outlined. A personnel has been brought together, a scheme of organization worked out, and plans for the activities of the League drawn up. Already many of them have been placed before the Council for endorsement, as for instance the plans for the Permanent Court of Justice and the International Health Organization. This does not mean that in each field a final and conclusive program has been drawn up; quite on the contrary only the next immediate step has been suggested, on the principle that it is "better to leave the hands of the statesmen of the future as free as possible and to allow the League as a living organism to discover its own best lines of development."

Something over 100 people are now included in

the Secretariat, drawn from a score of nations. All appointments have been made on the basis of experience either during the war or at the Peace Conference in similar international work. They are purely provisional, and subject to approval of the Council. While, therefore, the Secretary-General is given certain latitude in his choice of men, as is wholly essential if the Secretariat is to function properly, he is at the same time submitted to the check of the Council against any possibly objectionable choices.

Several Americans are included in this provisional list. They were all asked to serve last spring, at the time Germany signed the Peace Treaty, and when no one contemplated the possibility of the Senate's refusal to ratify the Treaty. It should be most emphatically understood that they serve solely as individuals and not in any sense as representatives of the United States. They have been picked out as experts in particular lines, without any thought of their relationship to their own country, as must be the case with the whole Secretariat system.

The Secretariat is divided into sections follow-

ing the division of its work, and is headed by a sort of general conference or board consisting of the Secretary-General, the four Under-Secretaries-General, and the Directors of Sections. The Under-Secretaries are divided among the others of the five big Powers, including Jean Monnet, formerly French representative on the Supreme Economic Council; Inatzo Nitobe, well-known Japanese publicist, and Signor Anzillotti, an Italian. Raymond B. Fosdick served for some months until the embarrassment of America's continued delay and the possibility of misunderstanding as to his position led him to resign.

Of the various sections, the Political is headed by M. Mantoux, who, as interpreter of the Councils of Ten and of Four, is familiar with every detail of the Paris Peace Conference. The Legal Section, which will aid in the revision of international law, is headed by Dr. Joost van Hamel, a leading Dutch jurist and author, assisted by Manley O. Hudson, formerly legal expert on the American Peace Commission; J. Pawley Bate of Great Britain, and Mr. Kaeckenbeeck of Holland.

The Section on Public Information, which publishes the Official Journal and the other statements of the League, is headed by Pierre Comert, formerly editor of the *Paris Temps*, assisted by George Mair, formerly director of the British Press Bureau at Paris, and the author of this little book. The Economic Section, which will take over what remains of the war's economic co-operation and draw up plans for the enforcement of any economic boycott which may be voted, is headed by J. A. Salter, formerly secretary of the Allied Maritime Council. The finances of the League itself are in the hands of Sir Herbert Ames, a member of the Canadian Parliament.

The Section on Mandates for backward countries was entrusted to George Louis Beer, who represented the United States in colonial matters at the Peace Conference, but who was claimed by death in the spring of 1920. The Section on Transit, which is to work out conventions for the unhampered use of International ports, waterways and railways in Europe, is headed by Professor Attolico of Italy. The many existing international bureaus which it is hoped to bring into

close cooperation with the League are looked after by Dr. Inatzo Nitobe of Japan, and the many administrative commissions formed under the Peace Treaty by Erik Colban, formerly of the Norwegian Foreign Office. Liaison with the International Labor Office will be maintained by Dr. Louis Varlez of Belgium, general secretary of the International Association of Unemployment. Miss M. F. Wilson of the United States has been chosen acting librarian and perhaps a South American will be chosen registrar-general of treaties.

Such is the general outline. The list of course is not complete. It illustrates, nevertheless, the scheme both of organization and of international personnel. Its principle will be fought and fought bitterly. Attempts will be made to infuse differences amidst these different elements and to bias action along purely national grounds. If these efforts succeed, the Assembly and the Council of the League will be left without any organization in which they can impose confidence.

Undoubtedly, if the Peace Conference in Paris had had such a Secretariat, its labors would have

been greatly simplified. One reason that it blundered along fruitlessly for so long was that it had no adequate mechanism. Great diplomats, as fussy for all the world as prima donnas, came together unprepared and uncoordinated. Mr. Wilson had his shoals and shoals of experts; Mr. Lloyd George, Mr. Paderewski, Mr. Vesnitch, Mr. delegate from Siam likewise, but all of them had a particular idea which they wanted to impose and could not be relied upon for an impartial amplification of a policy decided upon by the political chieftains. There was no adequate clearing house of secretarial work.

This great lack the League has already met. It has initiated a new principle in international relations. The change is well summarized in an official commentary on the League issued last spring in Paris which said the Secretariat "has immense possibilities of usefulness. A reliable supply of facts and statistics will in itself be a powerful aid to peace. Nor can the value be exaggerated of the continuous collaboration of experts in matters tending to emphasize the unity rather than the diversity of national interests."

The League has started well on this line. That does not mean that the details are perfect; that all the personnel is free from criticism, or that great opportunity for trouble does not exist. It does mean, however, that a very good beginning, perhaps a surprisingly good beginning, has been made towards creating this most new and unprecedented body. What is now needed is public understanding and support to allow it to develop freely into its full promise as one of the instruments for bringing into being a better international relationship.

DISARMAMENT

THE most difficult, perhaps the most important and certainly the least advanced question before the League of Nations is reduction of armaments.

"The actual number of men under arms today is much greater than in 1914," says Herbert Hoover. "The world's total armaments and the military expenditures are greater, despite the burden of grinding debt."

There is no use in blinking these facts. States which are ready to be liberal in other matters balk before any plan to weaken their power of self-defense. In a world torn and tortured as is the present world, with uncertainty on all sides, with the wounds of war still raw, with every fundamental force of Nature set loose into free play, suspicion and distrust have become rampant.

Pitifully enough the dreams which alone made it possible to endure the horrors of war have not come true. We have not come to rest in the haven of perpetual peace; we have not overcome

the greeds and passions which gnaw into the vitals of friendly relations between states; we have not found the millennium. We may indeed be better off than in 1914, for at least autocracy has gone forever from those vast territories which the Hohenzollerns, Hapsburgs and Romanoffs formerly ruled, but we have taken merely one step forward instead of making the whole trip.

Yet the face of the world has changed mightily. A whole new alignment of forces greets any study today of the armaments problem. The issues of 1914 have been swept aside and wholly new ones created. Those new issues give us the right to hope that reduction of armaments may be accomplished, much as medicine is sometimes taken before the patient is aware of it.

First, the world is bankrupt. Of all the proud nations in the race in 1914, only the United States, and possibly Japan, can afford the pace. The others are smothered in debt. Long before they can build dreadnaughts and Big Berthas, they must pay vast pension rolls and redeem huge foreign loans. The war cost the world two hundred billions of dollars.

Second, militarism itself is bankrupt. The man in the street understands as he never has before that behind the beautiful figure of a battleship or the trim appearance of a field gun is a whole professional soldiery, armaments industry, and yellow press which would starve but for war and fear of war. People realize that if heavy armaments contain certain elements of protection, they also contain negating elements of danger.

Third, the greatest militarism of all, the "shining armor" of Germany, lies in the dust, not only defeated but disgraced. Her Kaiser has fallen from giddy heights to a position beneath contempt; her army is ordered reduced to 200,000 men; her fleet sunk or put on exhibition as prize. The adventurous Kapp, in his mad exploit to restore the old régime, could not secure enough support, despite the army at his back, to cling to office for a week.

Fourth, a great irregular swathe is to be demilitarized straight through the heart of Europe, Germany, Austria, Hungary, Bulgaria and Turkey. This will form a wide corridor from the North Sea to the Black Sea wherein should be

found no armies, no big guns, no plotting General Staffs. What for generations has been the world's powder magazine will henceforth be pacified, if the Allied Powers can hold their unity.

In view of all the horrors of the past war, in view of all the promises of world statesmen, in view of the facts enumerated above, it might be thought that the League of Nations would have a fairly easy time to carry out its Covenant that "the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations." Surely if ever disarmament would seem possible, it should be after the world had fought its greatest war and overcome its most implacable enemy.

But unfortunately certain serious disadvantages have cropped up in the aftermath of war. First among these is the fearfully unsettled state of the world today. Everything is in turmoil. No one can foresee the future. Suspicion and distrust is on every side, even among the victorious Allies. Little wars which may easily become big ones are raging in many sections, and the solidar-

ity born of the war is being seriously shaken.

Second, there is an undoubted desire among the victorious military leaders to perpetuate the machines which brought them victory. And there is reason in this desire because of Germany's obvious attempts to wriggle out of the Peace Treaty. Such efforts justify the French in maintaining a large army; they cause fear and uneasiness on all sides; they have their repercussions in Poland and Roumania. They provide a real *raison d'être* to which the professional soldiery is only too glad to apply the bellows of fear and exaggeration.

Second, there is navalism. Great Britain, Japan and the United States seem only too apt to entangle each other in a naval competition which none of them wants. Secretary Daniels has announced that if we do not have the League we must have "incomparably" the biggest navy in the world, and the staggering sum of \$425,000,000 is being considered as an appropriation. Great Britain sends Jellicoe around her colonies to interest them in naval expansion, while British home authorities talk of appropriating

84,000,000 pounds for the coming year. Japan, not seeing against whom these navies are to be used, plods quietly ahead on her enlarged program, aided by all the profits she took out of the war. This competition is at present purely incipient; no one wants it; it can be nipped off before it becomes chronic, always provided there is sufficient faith and confidence to do so.

So we have the world today, Central Europe being demilitarized; France, Poland and Roumania building up big armies; Great Britain, Japan and the United States on the verge of a naval competition; distrust only too general; more men under arms than in 1914. America talks of the enormous figure of nearly a billion dollars next year for army and navy; Great Britain of \$625,000,000 for her army alone. The golden opportunity seems all but passing.

And meanwhile matters are dragging from bad to worse financially. Debts instead of deflating are inflating. The world's economic situation is becoming still more desperate. The Supreme Economic Council, in a bird's-eye view of what is wrong with the world recommends "that armies

everywhere should be reduced to a peace footing, that armaments should be reduced to the lowest possible figure compatible with national security, and that the League of Nations should be invited to consider as soon as possible proposals to this end."

"This question of disarmament," said Hoover in his appeal to the American people, "is a vital issue to us. We are dependent upon our foreign trade for much of our prosperity and employment. If we can secure no safety by disarmament we must tax ourselves a couple of billions a year and enter a race of preparedness and build up a military caste of our own. Is it not worth entering the League with the determination to at once test its value on the reduction of armaments to a real defense basis within a measurable time before we enter the race with no goal but misery and danger?"

Such is the problem the League must attack. It is a desperately dangerous problem with pitfalls lurking in every corner. Yet it must be met, because the world demands that it be met. If it is not, the war will have been fought largely

in vain and the League will have failed in its greatest single field of usefulness. There must be no delay or quibbling. Action must be initiated now, for at best long months of investigation and negotiation will be required.

This, then, brings us to the actual powers of the League as to disarmament. How far can it really go? The answer simply is that it has the power of inquiry, recommendation, and beyond that nothing but the moral force of world public opinion. This may be everything or nothing. Legally of course it is very little; actually it may be very great. Only the sincerity of the League itself and the governments composing it will supply the answer.

Its most definite power perhaps is found in Article I which says that no new member may be admitted to the League until it "shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments." This provision, be it noted, applies to Russia and all the ex-enemy states, Germany, Austria, Hungary, Bulgaria and Turkey. They cannot become members of the

League till they have met the armament requirements, which gives the League a very real and a very definite control.

Then follow the more detailed provisions of Articles VIII and IX applying to regular members of the League. Beginning with a plea for reduction of armament as essential to the maintenance of peace, it is provided that "The Council, taking account of the geographical situation and circumstances of each state, shall formulate plans for such reduction for the consideration and action of the several governments." Note the phrasing: "for the consideration and action of the several governments"; in other words recommendations which each state may or may not, as it sees fit, carry into execution.

This, then, is the extent of the power of the Council. It may consider the question of armaments about the world, draw up what appears to it an equitable basis of armaments, and then submit it to the various nations. There is nothing to obligate those nations to accept the recommendation; nothing that gives the Council power to interfere in the question of national armaments in

any way beyond this mere recommendation. If a state accepts it, so much the better; if not there is no penalty except the force of world public opinion.

Then comes another provision. "After these plans have been adopted by the several governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council." This is a bogey to some people. It simply means, however, that if a state freely and voluntarily accepts a certain program and if other states also accept certain programs based upon that original program, no state shall be free to upset the whole balance whenever it sees fit without agreement of the other states. In other words the basis which may finally be agreed upon is intended to have some permanence.

But not by any means to be perennial. The Covenant strictly provides that such plans shall be subject to reconsideration and revision at least every ten years. So if political conditions change, armaments can be made to change in conformity with them at least every ten years. That seems a reasonable period, for longer would tend to per-

petuate a military situation without regard to the political situation and shorter would tend not to afford the degree of permanence desired.

Then "the Members of the League agree to undertake to exchange full and frank information as to the scale of their armaments, their military and naval programs and the conditions of such of their industries as are adaptable to warlike purposes." This is one of the greatest advances towards disarmament ever made. Its spirit is bedded in a feeling of mutual faith and confidence among the nations. If carried out, it will put an end to secret preparations, false rumors, vague sensations, and all the other host of evils upon which militarists and demagogues have fattened in the past.

Next, the principle is accepted that "the manufacture by private enterprise of munitions and implements of war is open to grave objection." This, of course, is aimed at overwhelming establishments like the Krupps which have been able not only to mould the policy of their own governments but to keep a whole line of small, satellite governments in a constant state of belligerency.

Private manufacture is not forbidden, it should be noted, because certain nations, notably the United States, are dependent on private sources, but the development of those sources into vast cancer sores of war is specifically frowned upon. The Council "shall advise how the evil effects attendant upon such manufacture can be prevented."

Obviously, there is here provided a great multiplicity of duties, duties also which are of the most complex and specialized character. The Council, as a body of statesmen, would certainly be unfit to amplify these principles into all their detailed ramifications, for it not only would not have the time but it would soon become lost in technical details. Therefore, Article VIII provides that "a Permanent Commission shall be constituted to advise the Council on the execution of Articles I and VIII and on military and naval questions generally." This Commission was named at the Rome Council meeting of May 20. It should be one of the most promising bodies in the League. It has the power to draw up plans and make recommendations which, if carried out by the various states, will go far towards an-

swering the universal demand for freedom from the yoke of armaments. It holds in its hands the key to a large part of the world's economic future, or in more homely terms, to the amount of taxes you and I will have to pay to compete with the taxpayers of Great Britain, Japan and other nations.

But before it are equally great difficulties. First, the military elements will undoubtedly make a very strong effort to capture it and convert it to their own profit. They will be loath indeed to see any commission constituted which might both counter their own sincere ideas of national protection and also threaten the machine which they have made their life work. Already indeed this attempt at domination is under way and it is as well that the world should be aware of it.

The balance will be a most difficult one to strike. If too many military men are included in the Commission, its purpose will be destroyed. If, on the other hand, the military men feel themselves ignored, they will do all in their power to cripple and confuse the Commission, and in a sub-

ject so complex and detailed that will be a great deal. The ideal solution, of course, is to have the major principles laid down by statesmen responsive to the moral opinion of the world and the details worked out by military and naval experts who know how to make these principles effective.

In meeting the question of disarmament itself, the immensely complicated problem at once arises, what are armaments and on what principle can one weapon of destruction be valued as against another? Should an airplane be given equal value with a tank and a torpedo boat with a submarine, or should some percentage ratio be adopted? Different nations will work out their defense programs on different bases and with different values, while at any moment some new invention is apt to tip everything upside down.

Probably the best approximation will be to consider first the offensive or the defensive nature of the armaments, and second, the total number of men enrolled. Certainly a state which confines its defense to, say, coast defense batteries shows a less belligerent character and is less a menace to

the peace of the world than one equipped with fast travelling artillery.

These difficulties are insuperable only if they are approached in bad faith. And there is just one atmosphere in which they will be approached in bad faith; namely, indifference and unconcern among the publics of the world. If now, after all the lessons of the war, public interest in reduction of armaments oozes out and matters are allowed to drift merely of their own momentum, we shall inevitably find ourselves back in the old whirlpool of armaments and counter armaments. If, on the other hand, public opinion is bold, aggressive, and insistent, if it refuses to accept no, if it rides down all opposition, its voice will be heard; the vicious circle will be broken; the world will be freed to devote its energies to peace; and the chances of another Armageddon will fade away.

MINORITIES

FEW people realize what a very personal and direct relationship the League of Nations bears to large aggregations of individuals in some of the most contested political sections of the world. To many observers, the League is a mere theory of cooperation between nations, a vague possibility of the future, without immediate responsibilities or direct administrative powers. The truth is, however, quite different.

Many thousands of people, indeed, must look on the League either as their direct governor or as their ultimate hope of freedom from persecution. If the League has no territory of its own, it is today governing the all-important Saar Valley whose six hundred thousand people receive from a Commission appointed by the League their day-to-day government and administration. If it has no capital, it is nevertheless administering the key city of Danzig whose two hundred thousand people are living under the authority of a High Com-

missioner appointed by the League. If it has no citizens, it has accepted the obligation to protect the various racial, religious and linguistic minorities embedded in overwhelming hostile majorities in Poland, Czecho-Slovakia, Jugo-Slavia, Austria, Roumania and Turkey against the abuses which have poisoned history.

Nor is this all. The League has been pushed for months by the Supreme Council of the Allies to accept a mandate for the persecuted people of Armenia; by practically every negotiator to accept some sort of oversight over the Fiume district; by still others to settle the age-long problem of Constantinople by assuring an international administration in the benefit of all nations. The old diplomacy has failed in these many instances to work out a solution acceptable to all; therefore it has turned to the new diplomacy in the hope that cooperation between the nations may succeed where competition has gone bankrupt.

The League has not sought this task. Indeed it desires just as little of it as possible. The work involves most difficult and complicated obligations; it is based either on age-long prejudices or war

bitternesses; it offers very little of glory and much of danger. But the League has had to take it, for the bare, simple reason that no other organization was qualified to take it. Having entered the field, it is going ahead with every energy to make the results embody some of the hopes of those placed in its trust.

The object is two-fold: first, to determine the status of certain contested sections which might serve as tinderboxes of war between the nations, and second to assure such protection to certain minorities that they will not feel called upon as, for instance, did the Serbs in Austria in 1914, to threaten the peace of the world by sowing enmity between states. This is both good insurance against war for the big states and assurance of protection from persecution for the minorities. Every one stands to gain except either an imperialistic government which desires annexation, or an over-weening majority which seeks the destruction of a minority in its midst.

The world's immediate after-war need is obvious. "In order to build on strong foundations the structure of tomorrow," said M. Bourgeois

of France at the first meeting of the League Council on January 16, "we must first remove the ruins accumulated by the war." This is one of the most delicate tasks conceivable, for the injury differs in various cases, and the feelings on both sides are at fever heat. Nevertheless, the attempt must be made.

This brings us to the Saar Valley, the first responsibility thrust upon the League. During the war the Germans had outrageously gutted the rich coal mines of Northern France, gutted them so effectively indeed that coal cannot be brought forth again for years. The action seemed taken fully as much for the purpose of crippling France in the after-war competition as for purely military reasons, especially as most of the damage was done when the German armies were in their final rout.

But coal is the lifeblood of an industrial nation. To rob it of coal is to enslave it to foreign mines. Hence, France, with her Lens fields flooded almost to the mine openings, saw before her a period of dependence either on British coal or, far worse, on the untouched mines of Germany.

Obviously this was intolerable, and constituted a wrong which had to be righted at the Peace Conference, all the more because Germany's action was largely vandal.

The surest way to do it was to make payment in kind; namely, to force Germany to deliver France so many thousands of tons of coal annually till the damage had been repaired. And as this meant a very large figure, it was decided to give France the outright ownership of certain mines in the Saar Valley contiguous to France. This represented a practical reparation, France to own these rich fields in full title, but Germany to have the privilege of repurchase when the Lens fields should have been restored.

Transfer of what represented the life of the Valley naturally entailed certain political changes. Obviously Germany could not continue to exercise full political sovereignty, for conflict would have been certain between the political and the economic controllers. Equally obviously the political control could not be given to France, because the population consisted of about 650,000 inhabitants of pure German stock.

So the League of Nations was called upon. Germany was required to relinquish sovereignty over the district in favor of the League for a period of fifteen years, after which the inhabitants should decide by plebiscite whether they wish to continue on under the League or to be amalgamated with France or Germany, only those voting who are today residents of the district. Thus France is given reparation; the inhabitants of the district are assured an international administration rather than annexation to a foreign power; Germany meets her bill, and has the assurance of a plebiscite in the district at the end of fifteen years as well as the right to buy back the mines.

The Peace Treaty provisions are very specific. The League was required to name a boundary Commission within fifteen days of the ratification of the Treaty. Hence came into being the first meeting of the League held at Paris on January 16, 1920, for this specific purpose, when Colonel Wace of Great Britain, Col. Leite de Castro of Brazil, and Commandant Kobayashi of Japan were selected as the three League members, to be added to a representative of both France and

Germany. It is interesting that this first purely European problem should be settled by an Englishman, a Jap and a Brazilian, who might well be expected to be impartial.

But the Governing Commission was far more important. To this body, as representative of the League, fell all the powers formerly exercised by Germany, Prussia, or Bavaria, in fact everything. The six hundred and fifty thousand inhabitants of the Valley were placed absolutely under its charge, subject only to the check of the League itself. At the second meeting of the Council, on February 13, on the recommendation of the Greek representative, M. Caclamanos, the following were appointed: M. Rault, State Councillor, of France; Mr. Alfred von Boch, Landrath de Sarrelouis; Major Lambert of Belgium; Count de Moltke Hvitfeldt of Denmark, and Mr. Waugh of Canada. These men serve for one year, at a salary of 100,000 francs.

Full instructions were given them. These instructions were quite specific as to the general purpose and spirit in which the trust should be carried out but general as to actual details. It

was desired, first to inculcate the Commission with the theory of absolute impartiality with which the League must approach the administration of its trust in the Saar Valley, and second to leave the Commission full power of local initiative in order to assure efficiency and to keep the League itself free from the detailed problems.

This Commission formally assumed its duties February 26, 1920. For the next fifteen years it will govern the Saar Valley. To the people of the Saar it represents the final administration subject to appeal to the League only. Thus within the Saar the League will take on a very different aspect from what it has generally. We shall hear much of it, for complex questions have already arisen and will continue to arise during the coming years.

Then take Danzig. Here is a key seaport of northeastern Europe, the only available outlet to the sea for the new Poland's 25,000,000 people. Though historically Polish and set in a vast hinterland of Poles, the city itself has in the past century been so ruthlessly Germanized that today it is admittedly far more German than Polish in

its purely local aspects. To the Poles the city represents a life artery of trade, the one outlet to blue water, while to the Germans it represents a city profoundly German in character, with its present affiliations largely reaching out into Germany.

Its disposition proved one of the most thorny problems of the Peace Conference, an almost insoluble conflict between the opposing theories of free access to the sea and of local self-determination. To award the city outright to either Poland or Germany meant long years of protest and intrigue by the defeated interests, backed by a strong moral argument and formidable power.

Therefore, a compromise was struck. Danzig was "established as a Free City and placed under the protection of the League of Nations," which was in fact to restore the status under which it had so richly prospered during its earlier history. Of course neither Poland nor Germany was satisfied, but at least neither was as dissatisfied as if there had been an outright award. Poland is assured her outlet to the sea; Germany has the satisfaction of not seeing the city transferred to

an alien nation; and the inhabitants are assured local autonomy under the protection of the League.

Here again immediate action was necessary. The League Council on February 13, on report of M. Hymans of Belgium, appointed Sir Reginald Tower of Great Britain, previously Allied representative at Danzig, to be High Commissioner of the Free City subject to control by the League. Sir Reginald was instructed to draw up in agreement with the duly appointed representatives of the city a constitution to be approved by the League; to deal in the first instance with any questions arising between the city and Poland; and to keep the League Council fully informed of all matters within his jurisdiction. In a general way he serves as mediator in the conflict between Polish and German interests.

The protection of racial, religious and linguistic minorities, as provided in the various peace treaties and in certain special treaties, is a task certainly far more indefinite and perhaps even more difficult than the administration of the Saar Valley and the Danzig regions. For it involves both

very fine judgment as to the moment of its enforcement and at the same time a perhaps ungracious interference in the internal affairs of certain new European nations.

Protection of minorities was one of the keystones of the new structure which was to be built to remove the causes of war. It is not in any sense a new principle; indeed it dates far back into the exigencies of European history where so many wandering eddies of people have been swept off under alien rule. As M. Clemenceau wrote Mr. Paderewski in June, 1919: "It has for a long time been the established procedure of public law of Europe that when a State is created, or even when large accessions of territory are made to an established State, the joint and formal recognition by the great Powers should be accompanied by the requirement that such State should, in the form of a binding international convention, undertake to comply with certain principles of government."

Upon this basis, general but at the same time strict clauses were put into various treaties drawn at Paris seeking to safeguard the new political

alignments of Europe. Never was there greater need. The new Poland contains large numbers of Germans, Austrians, Russians and the ever persecuted Jews; Czecho-Slovakia contains many Germans and other aliens; Roumania has had to take over many Magyars in securing her new racial frontiers; the lands added to Jugo-Slavia brought in many aliens in addition to the dominating Jugo-Slav population; while whatever the final Turkish decision may be, millions of Christians are certain to continue on under Ottoman rule.

The provisions for protection vary one from another according to the local situation, but in their ultimate purpose are the same. The special Treaty signed between the Five Principal Allied and Associated Powers and Poland on the same day that Germany signed the Treaty of Versailles, though perhaps more specific and detailed than the others, may, however, be taken as a sample, as it is practically identical with treaties signed by Czecho-Slovakia, Jugo-Slavia, Roumania and Turkey.

“Full and complete protection of life and liberty to all inhabitants of Poland, without dis-

tion of birth, nationality, language, race or religion," with the full right to exercise any creed, religion or belief, with adequate facilities for the use of minority languages, both in schools and before the courts, and with special provisions to secure respect for the Jewish Sabbath, is recognized as "fundamental law" which must be kept inviolate. This law is placed "under the guarantee of the League of Nations" and "shall not be modified without the assent of a majority of the Council of the League." Any member of the Council may bring before that body any infraction or danger of infraction, all disputes to be submitted to the Permanent Court of International Justice.

This is a very great, if a very indefinite power. Under it the League is authorized to protest formally any pogrom against the Jews, such as are frequently reported, or to take up any suppression of a minority language. Very naturally it is a power which can and will be exercised only most sparingly, as indeed its greatest effectiveness lies far more in the threat of its use than in the actual use itself.

There is no exact precedent for it. The minority clauses in previous treaties have relied for their execution, not on an organized, permanent body, but rather on a transient alliance. They have not had great moral authority in their origin or in their safeguarding. Once written into the Treaty, it has been quite simple to forget them.

Now, however, there is a permanent, continuous, ever ready court of appeal, easy of access and sure of action. Even within this short time certain laws have been proposed and certain restrictions planned in various countries which the League has been quick to see violate the terms of these provisions. As yet no action has been necessary because the definite cause has not arisen, but it is encouraging to know that a vigil is being kept and that a recourse is open.

Few nations indeed would be so hardy as to disregard a statement by the League of Nations in such a matter. No such statement would come unless, first, the nation in question had violated the terms of a solemn treaty and, second, unless the other nations on the League Council agreed that it had done so and that a public protest should

be addressed to it. It does not seem strained to say that an enormous stride forward has been taken towards removing one of the worst causes of unrest and friction between the nations.

Thus in these many cases, in the cases of protection of minorities, and in the cases of the Saar Valley and Danzig, the League has a very direct and personal relationship to a large number of individuals. It has been called in as the only agency able to care for certain very serious but very elusive international difficulties. If it can succeed in these fields, it will not only be of immeasurable value to those immediately affected, but it will sweep away a number of international wrongs most likely to lead to hostilities.

MANDATES

"A PERMANENT COMMISSION shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates."

These are cold words, perhaps, to many of us, but they are warm indeed to thirteen millions of people in Africa, several hundreds of thousands more in Oceanica, and possibly several other millions in the former Turkish Empire. This one short sentence of Article XII of the League Covenant contains within it the possibility of the greatest organized attempt at service that the civilized world has ever united to make. It bids fair to ring down the curtain on the old days of colonial exploitation and create certain bright spots throughout the vast stretches of Africa and the East Indies which cannot but raise the whole moral standard of the world.

Large aggregations of helpless, dependent peo-

ples were left derelict when the war disintegrated the German and Turkish Empires. Under all previous precedent they would have been the spoils of war, turned over to their conquerors for ruthless exploitation in their far-away corners of the world. But our slowly rising moral standards revolted at such wholesale disregard of the elemental human rights of those unable to defend themselves. Therefore these peoples were made wards of civilization, guaranteed a charter of rights, and assured the protection of society organized in the League of Nations.

This phase of league activity touches us very directly. We do not want all of Africa made into a closed preserve for European exploitation. We desire the open door in all these backward countries. Our trade is now reaching out into every land and every sea. We ask only that it have equal opportunity with the trade of other nations. By establishing these large tracts as mandates, we shall secure that object. If the open door is threatened, we no longer are restricted to fulminating high diplomatic notes which usually have little effect beyond the thrill

of reading them. We can now urge the breach of a solemn contract before the League of Nations.

Beyond this, however, we are ourselves the authors of this system of trusteeship of backward peoples. After the Spanish War Cuba and the Philippines fell into our laps. We did not want them but we could not get rid of them. So we educated them. Cuba we have already set free as an independent, sovereign state; the Philippines we are going about setting free just as fast as the ability of the natives rises to the opportunity. In both cases we regarded ourselves as temporary governors entrusted with the development of the natives for the good of the natives. And now we are to see vastly larger territories given out among half a dozen different nations to be handled in much the same way, except that here the controlling authority will not be the good conscience of any one nation but the united conscience of all.

If any phase of the peace settlement seemed agreed to when the Peace Conference opened, it was the general principle of trusteeship of backward peoples. President Wilson in his Fourteen

.

Points had set forth that "The interests of the populations concerned must have equal weight with the equitable claims of the government whose title has to be determined;" Lloyd George had said that "the governing consideration must be that the inhabitants should be placed under the control of an administration acceptable to themselves," General Smuts had warned against a "scramble among the victors for this loot" or "an application of the spoils system at this most solemn juncture in the history of the world."

But the details remained and these details nearly broke up the Conference. It was always simple enough to say that the colonies should not return to Germany, because Germany had notoriously abused them and they had been of very little value to her, only 10,000 of her people and one-third of one per cent of her foreign trade going to them. It was equally simple, also, to say that their development should be entrusted to a single nation as trustee for all nations rather than to a joint international administration, as such joint administrations had proved inefficient in the past.

But it was not so easy to define the terms of the trust. Lloyd George brought in a plan. President Wilson concurred in it. Clemenceau finally agreed over the protest of the French experts. But the British Dominions broke loose entirely. Premier Hughes of Australia wanted New Guinea, and wanted it outright. He worked the Conference up into a crisis which for some time threatened to disrupt it, even making matters so warm that President Wilson asked him if he should be understood as delivering an ultimatum.

At last, however, on January 20, 1919, agreement was reached. That agreement was taken over almost bodily into Article XXII of the Covenant, which in stating that "the well-being and development of such peoples form a sacred trust of civilization," creates a new Magna Charta for the weak, backward, undeveloped peoples of the world. The derelict countries are then divided into three classes according to the development of their people, their geographical relationship to the mandatory power, and their economic condition.

Further elaboration, however, was still necessary. On June 29 a special Mandates Commission of five great Powers, including the United States, laid down details of the first two groups of mandates, leaving the third group which should include the former Turkish territories to be discussed after the Turkish treaty had been completed. Merely the filling in of the name of the mandate country as approved by the Assembly remained.

The mandates are drawn as treaties of trust which the mandatory power agrees to execute "on behalf of the League of Nations." That nation must protect the native against the arms, drug and liquor traffic, from slavery, forced labor and land abuses. It must guarantee equal rights to nationals of other states members of the League. It must submit "an annual report to the satisfaction of the Council, containing full information concerning the measures taken to apply the provisions of this mandate." It must submit all disputes to the Permanent Court of International Justice.

Two details remained unsettled. Japan protested because the open door and freedom of

immigration were not prescribed for South Africa and New Guinea, an omission purposely made to meet South Africa's fiscal policy and Australia's "white Australia" policy respectively. France insisted that troops may be raised in mandated territories not only for local defense but for the defense of the mother country, a prohibition originally made to prevent the militarizing of backward countries as a part of European politics. Both claims await early decision by the Assembly or Council.

During the Peace Conference the mandates were partially awarded. The day Germany was handed the Treaty, the Big Four made the first announcements. After some adjustments Togoland and the Cameroons on the west coast of Central Africa were divided between Great Britain and France; German East Africa between Great Britain and Belgium; German Southwest Africa allotted to South Africa; New Guinea and the South Pacific Islands divided between Australia and New Zealand, and the North Pacific Islands allotted Japan.

There still remained the disposition of all that

vast territory wrested from the Turk, Palestine, Syria, Armenia and Mesopotamia, which includes some of the richest and most populous parts of the world but which had to await the settlement of the Turkish problem as a whole. Moreover, the project of placing certain parts of Central Europe such as Galicia under mandate has been revived, and it is very possible that some of the insoluble territorial problems of that torn section may be temporarily adjusted in this way.

The mandatory work of the League will be among its most important, and certainly its least open to attack. The mandatory principle is one of the best guarantees of a new spirit in international relations, for it substitutes the principle of responsibility to a common world morality for that of purely selfish exploitation. It is not that the world has become suddenly purged of all its graspings; far from it indeed. It means simply that a method has now been worked out for the execution of a principle which every one is glad to accept in theory.

But all this presages organization. The German plan for a League even went so far as to

call for an International Colonial Office. While the actual League is not quite so ambitious, an organization was very shortly outlined to carry the principles into effect. Most important, of course, will be the Mandatory Commission provided in the Covenant, which will consist of representatives of mandatory and colonial states, with a small permanent force of experts expanded once a year by the addition of special delegates to the annual conference. The Secretariat of the League also has a Mandatory Section, with a more widely international composition and a more direct responsibility to the Council and the Assembly. Then, to avoid duplication and waste effort, as many as possible of the many existing international bureaus dealing with colonial matters, such as the arms, drugs and liquor commissions, will be brought under the wing of the Secretariat.

Every year we shall have a meeting of the League before which each government entrusted with the administration of a backward people will make its report to the conscience of mankind. Imagine the scene when Great Britain, and France, and Australia, and Belgium, and South Africa,

and Japan all come before this tribunal and state just what they have done during the past year for the natives placed under their guardianship. Slave raids cannot continue under this world spotlight; the nefarious traffic in arms, drugs and liquors must cease; the wholesale destruction of tribes such as that of the Herreros by the Germans will be at an end, and most probably the slaughter of the Armenians will be terminated.

Or take the terrible abuses years ago in the Belgian Congo, which are still fresh in men's minds. Outraged though the civilized world was at the reports which came from that vast territory, no instrumentality was at hand through which it could act. The International Conference at Brussels in 1890 had laid down generous rules for African colonization but had provided no method by which it could automatically reassemble to see that those rules were being respected. Consequently, the various nations all stood silent, each fearful of taking any action which might appear unfriendly. The League of Nations organization, however, dissipates this danger at once through the simple provision of an annual

conference and the necessity of a full report "to the satisfaction of the Council."

It would be a bold nation which would refuse to bring itself in line with enlightened practice or withstand the directed criticism of world public opinion. It is not too much to hope that under the urge of publicity the pride of the various nations may be stimulated to a new kind of competition, a competition not to see how much they can get out of their wards but rather to see how much they can put into them. The French might well be disappointed if the British made a better showing in developing one of their colonies, or the South Africans come to vie with the Australians in the work given them.

And if such a lift in standards occurs in the territories under mandate, is it conceivable that it will be without effect on the vast colonial world not so controlled? If the former German Cameroons, for instance, are freed from many of the existing colonial evils, would it be possible for the old-line colonies right alongside to persist in these abuses? Hardly, indeed, for, after all, good is contagious in this world of ours, and the

natural tendency is for people to lift themselves higher and still higher all the time.

The mandate principle marks such a complete reversal of the commonly accepted practises of colonial exploitation and such a stride forward in service to the backward peoples that many earnest observers fear it is too good for a greedy, cold-blooded world. That danger must be admitted frankly at the very outset. The mandate principle is indeed far ahead of any practise of today.

There is only one way in which it will ever be lived up to. That way is through the earnest, intelligent interest of the peoples of the world demanding it. If the mandatory reports fall upon cold hearers, if the world turns its back, the old abuses, the old evils, the old competitions will continue their ravages among these wards of civilization. It will not be enough to draw up a generous mandate treaty or establish a mandate commission; the spotlight of world interest and responsibility must play fiercely upon the appointed trustees and each and all of us must feel, so far as these helpless natives are concerned, that we are in a very real sense our brother's keeper.

134 *The League of Nations at Work*

Here surely is a work which no one nation can adequately perform but which all nations can unite to do for their mutual benefit.

FREEDOM OF TRANSIT

SUPPOSE some bright morning we should wake up to find that Canada had put up a great sign across the St. Lawrence River reading "No Thoroughfare for Americans." This would be neither without precedent nor without certain legal justification. The St. Lawrence runs for hundreds of miles through Canadian territory and is exclusively under her jurisdiction.

We should, of course, be very hot about it, feel deeply outraged, talk of retaliation, even of war, and we should have a perfectly good right to. To understand why, ask any business man of Buffalo, Detroit, Chicago, or any farmer of the mid-West what would happen if this great natural outlet for his products were suddenly closed by an alien power.

Exactly this thing, however, nearly did happen years ago. In 1823 the British passed bothersome regulations entangling our St. Lawrence

trade. Forthwith Secretary of State Adams protested to London that if they had a "right of sovereignty," we had "a right of nature which the sovereign right of one nation cannot annihilate," namely "the natural right of communicating with the ocean by the only outlet provided by nature." This failed, however, to appeal to British humor, which immediately called the claim "equally novel and extraordinary."

Two years later we struck a religious motif. Secretary Clay told London the river must be considered "as a free gift flowing from the bounty of Heaven intended for all whose lots are cast upon its borders." But even that left England cold. It was only in 1854, when Britain wanted certain privileges of free import, that we were able by exchange to secure equal rights of navigation.

But in 1866 these privileges were suspended. President Grant told Congress that "an unfriendly disposition" had been manifested on the part of Canada to exclude Americans from the St. Lawrence, which constituted "a natural outlet to the ocean for eight states with an aggregate pop-

ulation of 17,600,000 inhabitants, and an aggregate tonnage of 661,367 tons." This time we won out and by the Treaty of Washington of 1871, the St. Lawrence was declared forever free and open to Americans.

Today, then, we use the river on terms of perfect equality with Canada, as an essential link between our interior storehouses and granaries and the purchasing world overseas. So also with the Rio Grande and Colorado, our other "international" rivers. We have struck bargains with our neighbors to share and share alike in these great gifts of Nature, and to give up something of the unlimited right of possession in order to gain more than is lost.

But Europe has found no such simple solution. Her rivers are peculiarly vagrant and wayward, winding their way in and out among the nations and provocative of dispute ever since feudalism split up the unified control of the old Roman days. The peoples of Europe have massed in racial blocks along the broad convolutions of geography so that those in the uplands are quite distinct from those on the seaboard. As if by a freak of Na-

ture, the people who own the top of a watercourse very seldom own its outlet.

Take the Rhine, for instance. It starts in Switzerland, runs a little way alongside France, then a long way through Germany, and finally a little way more through Holland into the sea. Or the Danube, which starts in Germany, runs through Czecho-Slovakia, Austria, Hungary, Servia, Bulgaria and Roumania. So in turn we might name the Elbe nations, the Niemen nations, the Oder nations, the Scheldt nations, each of them in a large sense a single economic group though split into distinct, jangling political divisions.

If we nearly went to war with Spain in the early days because she tried to choke our outlet through the Mississippi, we should be able to appreciate the chaos which might arise from half a dozen rival nations all scrambling to dominate the same essential trade river. No power can be more merciless than that of being able to put up a "No Thoroughfare" sign across another nation's commerce. A burglar with a pistol at your head has not more control over you than has one

nation over another if it controls a seaport or river essential to that nation. A slight change in rates or an apparently innocent traffic regulation may spell economic disaster.

And now take railroads. They are no less vital as arteries of commerce, and no less baffling in their crisscrossing of frontiers. Indeed man has probably outdone Nature in the complexity of the problems he has created about the subject of communications. The Orient Express, for instance, starts in Switzerland, runs through Austria, Servia, Bulgaria and into Turkey, crossing five customs frontiers at each of which petty Balkan politicians may stand across the path of world commerce.

Again in this matter we in the United States have been fortunate. We have created, or rather evolved, the Interstate Commerce Commission which is the greatest arbiter of railroad difficulties in history. It prevents a sudden ban being erected against trade out of New England; lays down equitable rates for freight from Illinois; and assures Kansas City adequate freight car facilities.

Europe, however, has been too chopped up to

evolve such a body. It never has had any guarantee of just traffic arrangements. Business has stumbled along by the grace, or often in spite of, the statesman, and trade has often degenerated to economic duelling across customs frontiers. There has been utterly lacking any Interstate Commerce Commission to assure the free flow of trade.

Take Czecho-Slovakia as an instance. Here is a wholly inland state, shut off from the sea on all sides, a nation utterly dependent on imports and exports, yet completely at the mercy of semi-hostile states all about. If Germany, Austria and Poland want to crush her, all they need to do is impose a slight discriminatory tax on her freight. It would not take long, nor would it be sensational.

If nations have all too often set themselves up as international robbers along the world's trade thoroughfares, they will have all the more opportunities to do so in the future. The break-up of the German, Austrian, Turkish and Russian Empires has greatly increased the number of political units and the frequency of customs lines.

New nations, Poland and Czecho-Slovakia, have been hewn out; old nations, Austria and Hungary, have been split apart. If it was hard under the old centralized governments to share the highways of Nature and of man justly, it will be still harder in the future.

There is but one way. A new reign of law must be created. If not, new wars are inevitable, and it has been pretty well proved that if you once touch off the flame in Europe, it spreads world-wide. Wars do not arise solely out of "politics" as such. They come of much more humble origin, of the homely things behind politics such as commercial persecution, economic imprisonment, and unjust discrimination. Jail a nation's commerce, saddle it with restrictions, or refuse it free outlet into the world's trade stream and that nation will very shortly prefer war as a desperate way to break through.

The Peace Conference realized this. One of its first commissions was for "the international régime of ports, waterways and railways." For eight weary months it dealt in the most homely of economic difficulties, of provisions for dredging

rivers, for universal couplers for freight cars, and for various other matters which few of us would associate with making the world safe for democracy. At the end it put into the Treaty the fifty immensely detailed, complicated pages of Chapter XII establishing international control for such great rivers as the Rhine, Danube, Elbe and Niemen, and assuming some kind of outlet to the sea for landlocked states such as Poland and Czecho-Slovakia.

Over these various rivers an International Commission, variously constituted, was established to see that channels were kept dredged, dangerous shoals marked, and tolls kept equitable. All the rich experience in pre-war international control of the Rhine and the Danube was called upon, and safeguards as numerous as possible thrown about the preservation of freedom of transit on these great trade highways.

As to railroads, the victorious Powers assured to themselves freedom of transit across German territory on principles which would have been more just if reciprocal. Constructively, however, the much more important provision was inserted

assuring Czecho-Slovakia freedom of access to the sea in both directions. To the north she is given a free port in Stettin to facilitate overseas trade, and to the south she is given the right to run her own through trains across Hungary, Austria, Jugo-Slavia to Trieste or Fiume. Thus in a measure she is relieved of the fear of economic strangulation which would have made her career as a state utterly impossible.

But both for rivers and for railroads, difficulties were certain to rise. The guiding principles laid down at best were rudimentary, and the possibilities of misunderstanding and honest differences manifold. Certain temporary solutions had been found for the most glaring cases but a sweeping solution still remained to be made.

So the League of Nations was turned to. It was turned to in two quite different ways. First it was given specific authority over specific details aiming at freedom of communications in the Treaty. All disputes arising under these detailed provisions, all technical difficulties, and the appointment of many experts are referred to the League. So also is the complete revision of all these fifty compli-

cated pages. The League thus becomes the general supervisor and arbiter of all these settlements which have become part of world public law.

Much more than this, however, was aimed at in the second appeal to the League. Article XXIII, Paragraph e., of the Covenant itself, is all-inclusive. The League is authorized "to secure and maintain freedom of communications and transit for all members of the League." If that single phrase, expressed in all its colorless, unimaginative language, could be carried out, it would go far towards establishing the League as the terminator of one of the most fertile causes of war. Every nation would be given an equal chance to compete in world trade and cutthroat economo-politics would disappear.

With a double program both of great detail and of unlimited broadness thus laid out, considerable administrative machinery will be necessary. Fortunately, when the original Ports, Waterways and Railways Commission of the Peace Conference finished its duties, the French asked the nations represented on it, together with the three neutral nations of Spain, Holland and Switzerland, to

carry on the general projects laid down and consider more generally plans for the future. While this Commission was working through the fall and winter, the newly formed Secretariat of the League also created a special section to consider transit problems from the purely League point of view.

So we come to February 13, 1920. On that day, at the second meeting of the Council of the League, Baron Quinones de Leon, Spanish representative, the first neutral formally to participate in this world reorganization, brought in a full report on the League's relation to freedom of communication. After elaborating the situation as "of the highest importance," he proposed, and the Council unanimously adopted, a plan whereby the existing commission should be asked, first to advise the Council on the detailed duties involved in the Peace Treaty, second to submit plans for a permanent League organization to deal with freedom of communication, and third, to prepare four draft conventions on Transit, Ports, Waterways and Railways.

So the future stands out. Under the Peace

Treaty a half dozen international commissions will attempt to secure freedom of communication on as many key rivers of Europe, with all disputes and revisions to be referred to the League. Under the League itself a Permanent Commission on Communication and Transit will be in constant session, and a general world conference will be called every so often to approve general conventions for submission to the member nations. Already the rules, organization and procedure of these bodies is drawn up, and undoubtedly early steps will be taken to bring them to fruition.

The full sweep of this work no one today can foresee. If this article at present deals largely with Europe it is because it is the European problems which are the most acute. Similar if less flagrant difficulties, however, exist all over the world and will generate friction increasingly as world commerce spreads out into the new countries. We have the Congo in Africa, which is already the cause of international agreements; we have immense rivers in South America and Asia; we also have great trunk continental railroads cutting across South America, Africa and Asia.

An American's first query in connection with this aspect of the League usually is: "How about the Panama Canal?" The answer is simple. We ourselves, by a very strict adherence to treaty, wrote into law exactly the principles which it is sought to apply to other general waterways. If, therefore, we have nothing to fear as regards the Panama Canal, it is equally true that we have much to hope for as regards Suez, Kiel, Singapore and Constantinople. If we connived at Panama's independence on the high moral ground of building a "world highway," we enunciated and later put into practise the principles that ships of all nations should be treated on an equality there.

Success to the general principles behind freedom of transit means removal of one of the most frequent, yet most subtle causes of war. It means absolute freedom of opportunity for all nations to compete in world trade without at the same time giving up any just right. It means an end of that system of brigandage which the convolutions of Nature and the divergence of races have made inevitable in Europe, and the substitution of a reign of impartiality and justice wherever in the

world such problems arise. Nations henceforth, if these plans succeed, would be able to share and share alike in Nature's highways of trade without one nation being able to act as dog in the manger to another. One more field of international cooperation for international peace is thereby made accessible, but it can be fully utilized only by the most careful, painstaking, and non-spectacular work.

THE INTERNATIONAL LABOR ORGANIZATION

THE raising of labor standards throughout the world, particularly the raising of the standards of the backward countries to compare with those of the more liberal and progressive countries, is one of the hotly contested yet vitally important fields of usefulness of the League of Nations. Already, quite modestly and unheralded, forty nations have met in what was probably the most imposing and the most productive labor conference ever held, and an official International Labor Office has been created as a central world clearing house of labor information and activity. Today, consequently, as part of the League, a permanent labor organization is actually functioning and a series of annual world labor conferences has begun.

This is big work. The world is so close-knit today, and the play of economic forces is so interacting, that one part of the world cannot be dis-

interested in the labor standards of another. At Washington recently, for instance, we witnessed the spectacle of French labor and Italian labor and Dutch labor and Belgian labor rising in their places one after the other to state that the laboring man in France and Italy and Holland and Belgium, and the employers as well, would never be safe so long as the laboring man halfway around the world in Japan is allowed to work ten, eleven, twelve, even thirteen hours a day.

Who was it, it is interesting to ask, who most earnestly urged that Germany be admitted to this conference at Washington? For the word had gone out that unless the Germans were present, European labor, at least, would not be present either, and this at a time when any attempt at rapprochement with Germany was considered almost treason. It was none other than French labor itself, French labor which had suffered more than anyone else from the Germans. This does not mean that all of a sudden the French were overcome with sympathy for the Germans, but simply that they had the perspicacity to see that if ten or twelve hours a day were worked on the

German side of the Rhine, ten and twelve hours a day would similarly by the laws of competition be worked on their own side of the Rhine. And the Germans were admitted, though unable to arrive in time.

The world labor problem is most intricate. Though the world is split up into neat little compartments, either by race, by climate, or by political frontier, trade sweeps majestically back and forth, far above these little human divisions, taking products from the cheap-labor market into the high-labor market, from the savage tropical countries to the most highly developed industrial nations, without thought as to the wage scale or the labor conditions which lie at the root of all competition. Obviously, there must be some approximation of standards if there is not to be merciless competition and the consequent dragging down of the higher standard countries to the level of the lower standard countries.

It is an old, old realization that labor conditions in one country vitally affect those in another. Governments have taken some halting steps towards uniformity in betterment, but have gotten

almost nowhere. Labor has also tried through various international conferences, and finally through the Internationale, but here too the results have been meagre, as the movement has become more and more one of class hostility without the backing of the forces actually in power.

This brings us to the Peace Conference, when unrest was seething beneath society as never before. Millions of men were being thrown back from the armies into industry, were asking if it had all been worth while, were being tempted by the baffling call of the Internationale and the dreaded appeal of Bolshevism. Labor was divided, part wishing to fight its way through purely political action, part wishing to reconstitute the war-shattered Internationale as a labor political machine, part headed for extremism and Bolshevism. To meet this, the Internationale Labor Organization was formed as an associate of the League of Nations.

Universal peace, says the Treaty "can be established only if it is based on social justice." Thereupon, it goes on to say that "conditions of labor exist involving such injustice, hardship and priva-

tion to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled and an improvement of these conditions is urgently required." This is aiming high, but it is wholly in keeping with the spirit and purpose behind the League of Nations, which, it must always be remembered, seeks to ameliorate not merely the political causes of war but all causes.

There is one vital factor about the International Labor Office and the annual International Labor Conference. It is not a government body entirely, nor an employers' body, nor a workers' body; it is a composite of all three together. Its purpose is not to form a focus point for the theories of bureaucrats about labor, or for the class interests of employers or employees, but to make a meeting place where all three interests, the state, capital, and labor, may come together to discuss their common problems from a fully rounded point of view. The Conference is therefore composed of two representatives of government and one representative each of capital and labor from every member state.

Radicals in the labor movement object to this scheme of organization. They claim that labor will generally be outvoted by the state and the employers and feel that if there is to be an international Labor organization, it should be all labor rather than diluted by hostile elements. This viewpoint, however, fails to take into consideration that the government delegates often vote with labor against the employers, as indeed they did at Washington, and that the labor office will be a supplement, far more than a substitute, for the regular existing labor agencies.

Secondly, like the other phases of the League of Nations, the Labor Organization will not have decisive power. It can merely recommend. No government is bound to accept its recommendations, nor indeed can a recommendation be made unless two-thirds of the members of the annual Conference approve. This assures, first, that no recommendation can be made unless it meets with a very strong endorsement from the three sides interested in labor, and second that even when made an individual state which disapproves a recommendation need not accept it.

The only obligation resting upon the members of the League is to present to the proper body within one year's time the recommendations arrived at by the Conference. In other words, every nation has agreed that if two-thirds of the members of an organization embracing all the nations of the world agree that a certain labor policy should become world-wide, it will refer that recommendation to the body especially competent within itself to handle the question.

This may seem like very little real power. In reality, however, it is a very great power. It is a power which never before has existed. First, it provides an annual forum and a continuing body for the study of labor questions. Second, it enables those bodies, composed of experts as they are, to formulate definite labor policies which they consider to represent the viewpoint of enlightened liberalism. Those viewpoints instead of being mere pious wishes cast off into the blue must be submitted to the authorities in each state, submitted with all the prestige and influence behind them which can not but come from a body representing the world's moral judgment. Few nations will

ignore them without a very sufficient and admissible reason.

Fortunately, guesswork is not necessary as regards the Labor Organization. It is possible to judge of it by actual accomplishments. The first International Labor Conference has already held its sessions in Washington and the permanent International Labor Office is now functioning in London preparatory to the settlement of the final seat of the League. Both show sane, sober, substantial progress towards alleviating some of the grosser difficulties in the present world economic organization.

The Washington Conference was successful beyond expectation. Forty nations were present, belligerents, neutrals, Europeans, South Americans, Asians, and new states like Poland, Czechoslovakia and Finland at their first International Conference. No precedent existed for it in labor history, superficially because of its world-wide sweep but more fundamentally because its findings had to be submitted to the Parliaments of the world for acceptance or rejection.

Agreement was reached on every item submitted

to the Conference by the Peace Treaty. This is remarkable because the agenda required greater advance than had been made in the whole history of the international labor movement, and that too at a Conference containing states both liberal and backward, industrial and agricultural, seasoned and newly born. In the final voting the individual interests of the three groups, governments, employers and employees, were swept aside and a virtually unanimous moral judgment rendered.

The results will, if adopted by the nations, tend greatly to humanize labor conditions, especially in the backward countries. Without entering into detail, they include six draft conventions to be signed as treaties and providing acceptance of the eight-hour day and the forty-eight hour week, protection of women in industry by forbidding night work and allowing mothers six weeks' rest, with either state or other aid, both before and after childbirth, protection of children in industry by fixing 14 as the minimum age of employment and by forbidding night work to those under 18, and restriction of unemployment by dissemination of information and establishment of unemploy-

ment offices and insurance. Besides this are nine recommendations seeking to make industry less dangerous to health and employment less precarious.

These recommendations are now before the competent authorities of forty nations for acceptance or rejection, backed as they are by the endorsement of the governments, employers and workers of practically the whole world. No one can say what will be their fate, but even if accepted by no nation, they nevertheless mark the highroad of world labor development of today. No liberal nation can fall below these standards; many backward nations may still look up to them as their goal of achievement.

Meanwhile, the International Labor Office, which is to be the permanent body, has organized. Albert Thomas, of France, selected as a sound, progressive labor leader best calculated to rally the support of labor about the new organization, has been elected Director-General. The Governing Body representing states of the chief industrial importance has held several sessions. The jour-

nal of labor facts and information called for in the Treaty has been laid out. An international conference on Seamen's labor was convened at Genoa in June. In a general way the machinery has been set going, as required in the Treaty, for "the collection and distribution of information on all subjects relating to the international adjustments of conditions of industrial life and labor, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international conventions and the conduct of such special investigations as may be ordered by the Conference."

Certain broad lines of progress are already clear. First the world will be cut along new lines. On the one hand we will have the nations of Europe, which import raw materials and export labor, and on the other the newer countries of the Americas and South Africa which export raw materials and import labor. The Washington Conference ran hard aground on these questions when it took up the study of unemployment, for the scarcity of raw materials is the cause and emigra-

tion the effect of great masses of men without work. Unable to find a solution, it passed both questions on to the Labor Office.

So, too, we will have the highly industrialized countries as against the non-industrialized countries; Europe and Asia, for instance, against Japan and China. Western standards and Western pay are much higher than Eastern, yet a sturdy competition is already developing between the products of the two systems. Shall the West reduce standards to meet the East, or shall the East raise standards to meet the West? The beginning of that question was settled in Washington, when Japan accepted advances in her labor standards which for her are little short of revolutionary. Further progress along the same line will keep all nations abreast in the protection of labor and in the struggle for world trade.

Such, then, is the League's opportunity in labor protection. Unquestionably it has already proved that there is a genuine place in world policy for cooperation along this line. The results so far achieved could have been achieved only through exactly this sort of machinery, and are obviously

too vital to be lost. This is not to say that the League can solve the age-long struggle between labor and capital, for that struggle can be settled only locally in each large economic unit, such as North America, South America, Europe, China, India and so forth, but rather that the League will be a big factor in helping liberal, humanitarian movements in the labor field and in protecting the progressive communities against unfair competition from those less advanced.

THE INTERNATIONAL HEALTH ORGANIZATION

"THE mightiest danger to all humanity since the Deluge" is the highly sensational description given to the after-war scourges now sweeping Eastern Europe and Asia which the League of Nations has been called on to endeavor to check. And the description comes, not from a sensationalist, not from a person overbalanced by sympathy or panic, but from a hard-headed, unsensational New York banker, head of the American Red Cross, chairman of the International Congress of the League of Red Cross Societies which met in Geneva in March, in short, Henry P. Davison.

Mr. Davison does not conceal his alarm over the world's health a year and a half after the armistice. The League of Red Cross Societies, he says, is doing everything in its power, but "it is impossible to check this danger by private means. It is a matter to be handled by governments.

The International Health Organization

They handled the war and this is worse war." So again the League is appealed to, appealed to for a form of international cooperation quite different from the political work so often exclusively associated with it, yet probably far more vital and hopeful.

What new is to be said about after-war conditions? The world is surfeited with horrors. Its sympathies and emotions are worn threadbare. It reads of plagues and diseases almost dumbly. Every feeling which can be drawn upon has been drawn upon. That more people are dying daily in the after-war than during the war, dying slow, anguishing deaths, leaves us cold. Public opinion has fallen back exhausted and insensate. It can not assimilate more.

Yet it must. Mr. Balfour, at the time president of the Council of the League of Nations, summarized the world's plight thus in a letter to Mr. Davison: "The ravages inflicted by disease upon the war-worn and underfed populations of Central Europe, to say nothing of regions further east, have reached appalling proportions. Men, women and children are dying by thousands, and

over vast and civilized areas there are neither medical appliances nor medical skill sufficient to cope with the horrors by which we are faced . . . for dealing with a calamity which, following hard on war, seems almost worse than war itself."

Let no one think this is a local problem only. Quite the contrary, it is a world problem. Disease knows no frontiers. The political divisions which man has created are non-existent in its forward march. It sweeps on, regardless of the conventional ports of entry and of man-made regulations. Trains in their transcontinental journeys, ships in their voyages about the Seven Seas, even the atmosphere itself in its restless currents, serve as the medium of travel by which the scourge of one section may reach the health of another.

Disease and sickness are world-wide. Both their cause and their remedy are the same in one place as in another. The lessons learned in the tragedy, say, of Poland, may well be the salvation of the United States. The gains of science in its ceaseless struggle amidst the ravages of a disease must be instantly reported to sections still only threatened. What above all is needed is a means

first to universalize new methods of prevention and cure the moment they become discovered, and second to assure the cooperation of all states in a concerted attack upon an incipient plague.

America can not claim isolation from this world problem. To again quote Mr. Davison, "America is just as unsafe as Europe from typhus and the white plague now spreading over the world with lightning rapidity." Every ship that comes to our shores, every immigrant that enters our portals, every home-coming American traveler indeed, may bring the dread disease. We have only one method of insurance, namely to cooperate with other nations in stamping disease out at its starting point and in spreading knowledge of disease prevention and insulation.

It is not enough that each nation of itself have good health laws and protective machinery. All its good efforts may easily be vitiated by the carelessness of another state in allowing a plague to generate which may sweep over half the world before it is beaten down. The danger of contagion can of course be reduced, but it can never be avoided. The great scourges which have in

the past ravaged the world have done so because they suddenly became too powerful for local authorities to handle and set out for wider fields of conquest.

The framers of the Covenant of the League realized this, even in the press of their other far more contentious labors. Twice in the Covenant they signalized it. Under Article XXIII the members of the League agree "to take steps in matters of international concern for the prevention and control of disease" and under Article XXV "to encourage and promote the establishment and cooperation of duly authorized voluntary national Red Cross organizations having as purposes the improvement of health, the prevention of disease, and the mitigation of suffering throughout the world." It is interesting that of all the special activities which sought recognition when the Covenant was being framed, educational bodies, international associations, farmers' movements, the Red Cross alone secured mention.

This recognition immediately offered a challenge to those engaged in organizing the League. What, in detail, did these two very general

phrases mean? What sort of duties did they impose upon the League? How were those duties to be translated into accomplishment? For several months following the signing of the Treaty these questions were threshed out till finally a scheme of organization and usefulness was fully evolved. Consequently at the first real business meeting of the Council of the League in London on February 13, M. da Cunha, who interestingly enough is a Brazilian representative on the Council, was able to ask specific authority to go ahead.

"If there is a field of action," he said, "in which the League of Nations can bring immediate relief to nations and one which will affect individuals in their personal and family lives, it is the field of social hygiene, in the most liberal sense of the word. Health measures are essentially international measures, whether it be a question of adopting preventive or defensive means to combat contagious or epidemic disease, or of popularizing methods of cure and treatment. Without solidarity and an effective understanding between nations, any national organization, however perfect in itself, will be insufficient.

“What is necessary is a permanent organization capable of coordinating, and even of instituting, the necessary statistics and keeping them up to date. This organization should follow scientific research concerning public health and circulate its discoveries; it should coordinate and assist the action of organizations already existing, such as the Red Cross Societies, the International Bureau of Public Health, and other similar institutions; it should not only organize periodical and international conferences of scholars and experts but should call conferences similar to the Labor Conference; finally by a systematic propaganda it should impress on public opinion the necessity of individual and collective rules and habits of health. Otherwise all conventions will be futile.”

This statement was unanimously approved by the Council and invitations immediately issued for an organizing Conference to be held in London in April. Even before this Conference could come together, however, the typhus situation in Poland had become so desperate that Mr. Balfour, at a special meeting of the Council in Paris on March 13, stated that it must “be taken in hand

at the earliest possible moment, not merely in the interests of the Polish people but for the protection of Europe as a whole. The matter is of such magnitude and bears on the welfare of so many countries that it seems eminently one with which the League of Nations should deal." The Health Bureau, like many other parts of the League, thus became confronted with an immediate and specific task even before it had itself come into being.

As with other forms of international cooperation there is a strong but little known foundation on which to build the new structure. Indeed cooperative efforts for the protection of health date back as far as the middle of the last century. The first seeds were planted at a Diplomatic Conference in Paris in 1851, when the First International Sanitary Convention dealing with the prevention of cholera, plague and yellow fever was presented to the world through Napoleon III.

Then came the sensational development of the steamship, entailing a great increase in the rapidity of travel, not only of men but of disease. Especially was this noticeable among the pil-

grims going to Mecca. So, following a serious outbreak of cholera in 1866, an International Sanitary Conference was called, largely by Turkey and Egypt, resulting in the formation of the Consular Commission at Constantinople.

This cooperation, born in a crisis of peculiar gravity, grew more and more general as boundaries were brought closer and closer together. A series of special meetings were held during the years, till finally in 1907, as a result of the Rome Conference, the spasmodic nature of the work was overcome and a permanent, continuing body created under the name of the Office International d'Hygiene Publique.

Private initiative was equally active during this time. In 1863 the first International Congress of the Red Cross Societies was held in Geneva and the so-called Geneva Convention, on which the whole treatment of sick and wounded in war is based, was drawn up. During the World War this organization proved almost indispensable, as its neutral character enabled it to keep a record of prisoners which would have been possible in no other way.

Then arose the fearful sufferings of the after-war period. The various national Red Cross Societies realized what a field lay open to them. Consequently they came together, first at Cannes and then at Paris, to widen their charters for peace-time work. The inevitable outcome was the League of Red Cross Societies, which in March, 1920, held its first General Council meeting at Geneva to discuss the after-war scourges which were then sweeping the world.

Such, then, was the foundation on which the League of Nations could build. Powerful organizations, both official and private, were ready at hand, while at the same time the crisis was greater than ever before in history. As it happened, moreover, there was great need for just the elements of strength which the League could bring. The official organization was rather restricted in membership and too advisory in character, while the Red Cross lacked much of the power of a governmental agency. The League, therefore, offered the opportunity to thread together these different agencies, combining the strength of all, widening the membership to in-

clude the world, assuring complete financial and governmental support, and yet preserving the identity of the constituent bodies.

The structure of the International Health Organization will follow closely that of the International Labor Organization. There will be first a permanent body called the International Health Office, situated at the seat of the League and in charge of a medical secretary who shall have direct access to the Secretary-General of the League and the right to communicate directly with the various governments members of the organization. The office will of course conduct the day-by-day routine of the Organization, make investigations and prepare the periodic Conferences.

Second will be the Executive Meeting corresponding to the Governing Body of the Labor Conference and consisting of perhaps ten members, including a representative of both the League of Red Cross Societies and the International Labor Organization. This committee is expected to meet at least four times a year, when it will be charged especially with the drafting or the revision of international health conventions.

Third and last will be the General Committee which will in effect be an annual conference of all states members of the Organization. Like the International Labor Conference it will be the final body for approval of all draft Conventions and recommendations, which must be supported by a two-thirds vote before they can be submitted for the approval or rejection of the individual states members of the League. With an agenda carefully prepared beforehand and a representation from nearly every nation in the world, this body will have greater authority than any health conference ever held, while at the same time it will not impair the sovereignty of any individual nation because none of its findings become binding until accepted by the proper national authorities.

The Health Organization will work in the closest harmony with the International Bureau of Public Health and with the League of Red Cross Societies. It will not in any sense seek to replace these bodies; indeed it will count upon them for most effective support. In the overwhelming battle against disease there is a place for every possible agency, both official and private, for pri-

vate initiative and energy can most effectively combine with government facilities, information and funds.

Thus the world's healing and protective forces will be marshalled together in the great combat against disease in a way that has never before been possible. A central nerve system of information and action in international health matters will be provided; the health authorities in the various countries will be brought into closer touch; information will be exchanged much more rapidly in case of emergency, and quick, concerted action will be rendered possible where before it has been most haphazard. If the League can carry out even in a small way the promise contained in this field of activity, if it can reduce the plagues and scourges which periodically ravage the world, it will fulfill one of the greatest missions which lie before it.

ECONOMIC COOPERATION

THE greatest penalty ever placed before a treaty-breaking state lies in the economic boycott provided in the League of Nations Covenant. It means complete severance from the rest of the civilized world. It is an open, fully foreseeable, wholly measurable penalty awaiting any state which violates the terms of its fundamental relationship with the other nations. If it is charged that the League is powerless because of lack of actual military or naval forces, it may easily be retorted that it possesses against a Covenant-breaking state a force far more subtle and more powerful, the force of economic strangulation.

Article XVI provides that "should any member of the League resort to war in disregard of its Covenants, all other members of the League undertake immediately to subject it to the severance of all trade or financial relations and the prohibition of all financial, commercial, or personal intercourse between the nationals of the Covenant-

breaking state and the nationals of any other state, whether a member of the League or not."

Had this provision been in operation in 1914, Germany would long have hesitated to convert her solemn obligation of the Belgian Treaty into a mere "scrap of paper." She would have seen arrayed against her an economic barrier including not only France and Russia, her admitted enemies, but also neutral Holland and Denmark, which long served as ports of entry for her war supplies. In the face of this certainty, it is doubtful indeed if, with the margin between war and peace so slight, she would have gambled on hostilities.

This obligation to impose an economic boycott against a state violating the Covenant is definite and final; it is not optional or voluntary. The members of the League have freely assumed the responsibility; indeed they could hardly have done less if they felt any respect for the document they signed. The moment a nation violates the Covenant, each and every member of the League should take immediate action, on its own initiative, to cease all trade with that nation.

The automatic nature of the boycott is noteworthy. It differs totally, for instance, from the military responsibility of member states, if there be any. For, in case the Council should decide military action to be necessary, it has power only to "recommend" to the governments what force if any each should contribute. No obligation would rest upon any member state to accept this recommendation. With the boycott, however, a very real obligation does rest upon each state, for it has been definitely agreed beforehand that in certain eventualities such action will follow automatically.

This action would in practise be cooperative. While the prime responsibility would rest on each individual state, the effective execution would nevertheless require united action. Consequently, some kind of permanent body must be established to work out plans to give effect to this weapon the moment an emergency arises.

If this power of the League may be called purely a police power without constructive advantages, there are other economic duties of a most constructive nature. The exact extent of those

duties is interpreted so variously among different schools of thought at this moment of world upheaval that it is difficult to lay out an absolutely definite program.

Let us, therefore, start with a single positive example. During the winter of 1919-1920 the world economic situation became steadily more and more desperate. Exchange collapsed; industries remained stagnant; vast numbers of men were out of work; and hunger and disease began to spread broadcast in Europe till a total collapse of the existing social structure was feared even in the most conservative circles. The details require no repetition.

The first independent action ever taken by the League of Nations occurred at just this moment, when as it happened the second meeting of the Council was being held in London. Up to that time the Council had rubber-stamped the various organization plans prepared by the Secretariat and carried out only the business actually placed before it. Consequently the League had hardly appeared to take on a life of its own.

As the public was waiting for the members of

the Council to assemble for the public session of February 13, they could look through the glass doors into the antechamber where the various officials were conversing. Suddenly a degree of life and vitality which had not before been manifest seemed to come over them, and an intense, informal discussion took place. After an appreciable delay, the Council members took their seats in the main room and the session opened.

At its conclusion, Mr. Balfour, in remarks covering less than a printed page, announced that the Council had decided to call an International Financial Conference "with a view to studying the financial crisis and to looking for a means of remedying it and of mitigating the dangerous consequences arising from it." In other words, almost on the spur of the moment and without the usual disturbance created in the Chancelleries of the world by a call to an international conference the nations were called together to discuss the most serious of financial problems. It is significant that this was the first original action taken by the Council of the League.

Immediately afterwards an Organizing Com-

mittee was appointed and a very inclusive questionnaire, backed by all the prestige of the League, sent to all governments asking details of their domestic and foreign debt, loans to other nations, foreign trade by country and by value, gold and silver holdings, bank deposits, bank note circulation, and laws or decrees affecting foreign exchange. Brussels was chosen as the place of meeting and a mass of statistical material gathered which showed the financial state of the world as it had never been shown before.

The actual accomplishments of this individual conference are not the important consideration now. The vital fact is that the machinery existed to call the conference at all. Many evils will crop up in the economic field in future years which might well fester into wars unless some such method as this existed to get the nations into conference upon them. With the League in existence we may reasonably expect a succession of conferences on matters of world economic import which will be called with just as little ceremonial and just as business-like precision as the Brussels Conference.

This opens up the whole question of international economic information. That, after all, will be the main result of such international gatherings, for apart from collecting and systematizing information and submitting recommendations, they will have no binding force upon any state represented. They will serve in a large sense as a looking-glass in which the world can study its actual condition in the hope that with knowledge will come wise action.

The preparation of statistics, therefore, assumes a very vital place in this program. Months ago, as it happens, the League took action in this matter. In August, 1919, a conference of statisticians was held in London at League headquarters, even before the League had been officially created, to discuss the possibility of coordination of the various international statistical commissions already at work.

There is, for instance, for agricultural statistics, the International Institute of Agriculture at Rome; for labor statistics the International Labor Office, for demographic statistics, the Permanent Bureau of the International Institute of Statistics

at The Hague, and the International Bureau of Commercial Statistics at Brussels. All these bodies are fulfilling most useful missions, showing the world just where it stands in certain vital questions.

Representatives of these bodies agreed that their activities might well be coordinated and that, without losing any of their own individuality, they might gain all the prestige and authority which association with the League would give them. Consequently a memorandum was submitted to the Council meeting at Rome in May, 1920, calling for appointment of an International Committee of Statisticians to draw up complete plans for the final approval of the Assembly.

Coordination of international statistics is another of those very humble and unspectacular but vitally important offices which the League can perform which no other organization has ever been able to perform. It is not a matter that will reach the front page of the newspapers; indeed it is something which the ordinary person will pass over with but slight interest; but its effect will be to provide the information whereby

the leaders of the world may know exactly the state of the world and be able to act with intelligent judgment.

Many other fields of opportunity in the economic sphere have already been signalized in other chapters. There is, for instance, the guarantee of freedom of communications and transit which affect many international ports, waterways and railways; the reduction of armaments especially through removing the element of private profit in their manufacture; the preservation of the open door of equal commercial opportunity in territories under mandate; and certain specific duties in the peace treaties. All these have been discussed in full.

Opportunities for still wider usefulness are seen by many. They argue, and argue with much justice, that if the economic demands of the war could be met only by unified control of the more vital products, so the economic demands of the reconstruction period can similarly be met most effectively by united action. While the terrible stress of hostilities has relaxed, nevertheless, the problems of healing are hardly less difficult.

The world's difficulty today is the proper distribution of raw materials to get factories restarted and men back to work. There is no cotton for the mills of Poland; no coal for many of the factories of Italy; no tropical and other materials to allow German factories to start exportation to pay their reparations. Consequently, the world, instead of getting better, gets steadily worse.

Moreover, certain basic commodities are under a stringent kind of control which every student of the subject realizes harbors danger. Wheat, for instance, is a government export monopoly in the United States, Russia and Australia, and a government buying monopoly in Great Britain, France, Italy, Belgium, Germany and other states. Coal is exported from Great Britain, the chief country of origin, only through the government, and imported into France and Italy in the same way. Petroleum products are in the hands of two great private international trusts, the Standard Oil Company of America and the Anglo-Dutch Petroleum Combination.

These three fundamental commodities, any one

of which is vital enough to the well-being of the world to upset its whole economic structure, are thus under a highly centralized control different from the unified control of war times and unmindful of the free play of the laws of competition. Out of such an undirected system national antagonisms are almost sure to arise.

The problems both of reconstruction and of direction of the world's surplus raw materials might well come before the League of Nations for discussion, for either of them, if mishandled, would be sufficient to send the world into a new era of suffering. There will, of course, be selfish interests which will oppose any such discussion, even if its only result is to bring the facts into the light of day for the intelligent opinion of the world to focus upon.

The best method of accomplishing the result sought is generally felt to have the Supreme Economic Council incorporated within the League. That Council has now lost the mandatory power which in practise it possessed in the days of unified economic command, and has become largely a body of report and recommendation. It has a

mass of information and data at its disposal and also a valuable personnel. It is most highly probable that what remains of its work will be taken over by the League as one of its most essential functions.

Nevertheless, these plans have not yet been fully matured owing to the constantly shifting nature of the whole world economic foundation. But that the League must, if it is to prevent the growth of hostile feeling between peoples, develop a highly efficient section of economic investigation and report is admitted on all sides. Thus, with a general section of this nature to recommend policies, with an International Statistical Commission to prepare data, and with the power of economic boycott of a nation violating the Covenant ever at hand, the League is certain to play a helpful part in the day-to-day economic development of the world and a dominating part in the moment of supreme crisis.

OPEN DIPLOMACY

WILL the League of Nations be able to destroy secret diplomacy and establish open diplomacy?

Of all the questions before the League, this is far and away the greatest. If international relations can be made an open book for all the world to read, if the plots and machinations which have been bred in secrecy can be prevented, if the vast amount of misunderstanding, distrust and even deliberate falsehood which have poisoned the past relationships between states can be done away with, think what an advance this will mean towards the prevention of future wars.

Of all the questions before the League, this is also far and away the closest to the man on the street. In a sense it is the key question to the whole system of international relationships. On it will depend your knowledge and mine of what is going on in the world about us. On it

will depend whether you and I and our neighbors are able to form an intelligent opinion of the big issues of the world which at any minute may sweep into our quiet little homes and demand heavy taxes or even military service.

The question of League publicity is our question, the question of each and all of us. We cannot entrust it to any body of men to settle for us; we cannot allow it to go by default; we must in our own interest watch over it, criticise it, even force it. For it is our right to understand the forces that are operating between the peoples of the world and to know what is being done by the League which we have created.

This is not so simple as it appears. The forces of secrecy and silence are much more powerful than supposed. There are great interests to be served and unseen ends to be accomplished. Moreover, there are moments of stress and emergency when secrecy seems almost essential, when men hold their breath in the hope that some settlement may be reached short of a public outburst. Full publicity not only threatens selfish interests, but also requires a moral courage and

fearlessness which only the great among men possess.

It may unhesitatingly be said that the League of Nations marks the greatest stride ever made towards the goal of open diplomacy. That is a bold and an unqualified statement written without fear of disproof. It is a statement which should be weighed carefully by the man on the street who is utterly through with the previous methods of diplomacy and who feels that at all costs secrecy must be eliminated.

Article XVIII of the Covenant may well go down as a landmark in the relations of states. Strangely enough, however, it has been almost unnoted by public opinion. It is one of those statements which appear so essentially normal and natural that we pass over it without consideration of the supreme importance attaching to its every word. Article XVIII reads:

“Every Treaty or International Engagement entered into hereafter by any member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such Treaty or International

Engagement shall be binding until so registered."

No Treaty shall be binding until registered with the Secretariat of the League — consider what that means. It means in brief that, if lived up to, there can no longer be secret agreements between nations; that the obligations of one nation to another must be known to all nations; that secret alliances and all the mystery and the vicious circle of redoubled fear that such alliances bring in their train, are ended; that the nations stand before each other honestly and frankly, as they never in the past have stood before each other. It means the beginning of open diplomacy.

Consider what this provision would have done in the decade before the war. If it had been in force, it would have put an end to all Germany's manœuvring based upon her charge that the Entente Powers were working on a policy of encirclement; it would have exactly squared the relations of each of those nations and groups of nations to each other; and, what is perhaps more vital still, it might have given Germany the flat assurance that Great Britain would immediately go to France's aid in case of aggression by Ger-

many. It is very probable that if Germany had had that certainty before her she would not have plunged the world into blood as she did.

Those entrusted with the organization of the League are fully aware of the potentialities of Article XVIII. Among the first of all questions they brought it before the Council for the approval of detailed plans of execution. The report presented to the meeting at Rome on May 14 is in itself so significant of the new spirit that its essence may well be quoted in full:

“Publicity has for a long time been considered as a source of moral strength in the administration of National Law. It should equally strengthen the laws and engagements which exist between nations. It will promote public control. It will awaken public interest. It will remove causes for distrust and conflict. Publicity alone will enable the League of Nations to extend a moral sanction to the contractual obligations of its members. It will moreover contribute to the formation of a clear and indisputable system of international law.”

The Council agreed. Authority was given to

work out the necessary details. A Treaty Registration Section was established in the Secretariat with authority to receive treaties from all member nations, issue Certificates of Registration to the contracting states, compile both a chronological Register and a subject ledger of Treaties, publish them as rapidly as received in the Treaty Supplement of the League of Nations Journal, issue an Index, and supply copies to states or individuals so requesting.

This publicity of treaties will never be attained, many people may say, for nations will continue to make secret agreements on the subjects most vital to them. Perhaps, for a time, but for only a very short time at the worst. Such action would be a direct violation of a solemn treaty obligation and would require a degree of bad faith on the part of at least two governments which only the most cynical would expect. It would not be long before an intelligent world public opinion, led by an ever jealous press, would insist that this obligation be respected and would so threaten those in power that no statesman would dare to expect the support of his people

for a treaty or agreement which they had not known existed.

But beyond the publication of Treaties, consider all the other public activities of the League. As the focal point of world activities in international justice, mediation, disarmament, mandates, international labor and health, there will radiate forth from it a flow of information without precedent or comparison. Within a short time indeed it should become the greatest center of international news in history.

For we shall see at the seat of the League, sitting permanently, receiving information from all over the world, and preparing recommendations, a most varied array of separate organizations, the Secretariat, the Permanent Court, the Labor Office, the Health Office, the Disarmament Commission, the Mandates Commission, the Transit Commission and others. Day in and day out these bodies will be at work aided by the most effective sources of information ever coordinated and dealing with matters of surpassing international importance.

Periodically also will come special world con-

gresses for public discussion of the various problems presented. These bodies, it must ever be remembered, will have no power but the moral power of the League, no strength except the strength which the public opinion of the various nations is willing to give to them. Very obviously they cannot meet in secret, but must do everything in their power to arouse the interest and the confidence of public opinion.

The Assembly will bring together periodically and probably annually three representatives of every nation in the League to discuss the widest possible range of international relations. The International Labor Conference will bring together the world's labor experts once a year. The Mandates Commission will hold a formal annual session to consider the annual reports of the states accepting mandates. Periodic and probably at least annual conferences will be held on disarmament; health and freedom of communications and transit. So also the Council of the League will meet as occasion requires, and at least annually, though in its first four months it

came together four times. Special meetings such as the International Financial Conference and the Commission on Enquiry to Russia will also provide news of world interest.

Never before, except in the fevered days of the Paris Peace Conference when everything was in a state of hurly-burly, have there been such possibilities of publicity in international relations. Here will be a succession of meetings of the most vital importance, together with a series of permanent organizations gathering and digesting the important matters of world interest. That already many journalists have desired to be assigned permanently to the seat of the League is perhaps the best indication of expert judgment in this matter.

How the publicity of these meetings will be handled is already a matter of record. The Council has held a series of important sessions and the International Labor Conference has held its first general assembly. From the two we may gather a fair index of the future, for it is a pretty well established rule in journalism that

a door once opened to the press is very seldom shut.

The International Labor Conference was held almost on the open street. In the thirty days of its sessions twenty-five public meetings took place. Casual sightseers to the Pan-American Building dropped in for a few moments to the big hall where the labor experts of forty world states were busily, and at times heatedly, ironing out their differences. Every day, fifteen minutes or half an hour after the session, full stenographic reports were distributed to the press for reference, and the next morning the delegates and others interested found the Official Bulletin of the Conference on their breakfast table.

Of course, there was also a large amount of committee work. That is essential in a meeting bringing together men from the four corners of the globe, for at least a groundwork of discussion must be laid. The results of these meetings, however, were registered almost immediately in the full assembly, and any divergence of viewpoint which could not be harmonized in the committee meetings was sure to crop up in the wider

discussion, because each element of the Conference took particular pains to put itself on record. It is doubtful if the conflicting requirements of full publicity and of rapid dispatch of business could have been better harmonized.

Now take the Council meetings. This, of course, is quite a different body from the Labor Conference. Its purpose is to bring the nine most influential world states together about a common table, in short order, if necessary, to consult regarding any emergency that may arise in international relations and to examine proposals to be made to the Assembly. Theoretically its decisions are mostly preliminary recommendations and might be claimed, therefore, to have some of the elements of privacy.

The Council has not, however, gone on that assumption. All of its gatherings have been accompanied by open sessions with full stenographic report. The procedure has been somewhat as follows: the Secretariat has prepared the data to be discussed; that data have been sent about to the various Council members with the call for the meeting; the various subjects have been divided

at public opening session among the different members of the Council; each member has reported informally on his subjects to an executive meeting of the Council; and shortly thereafter the whole matter has been discussed in full in a session open to the press.

The result has been that the Council has done its work quickly and yet openly. There will be cynics who will object to a preliminary private session as merely a cloak and who will say that the subsequent open session is pure window-dressing. It is difficult, however, to see how a better scheme could be evolved. There will inevitably be some misunderstanding and some confusion when a subject is first broached which can be best cleared up in a quick informal business meeting. The main necessity is to see that whatever decision is taken is taken publicly.

That necessity has been met. The Council has agreed that no decision shall be considered as made unless it is made publicly. In other words, if the Council decides to submit any recommendation to the members of the League, the public will be informed formally and officially. It will

not be forced to depend on guesses, deductions and back-stairs gossip, nor will it be required to wait an interminable time until the matter can be gone through with formally. It will get the news, get it right, and get it while it is still news. That is a very big advance over any preceding arrangements.

Here again, as in other phases of League work, a certain amount of organization has been needed to assure the execution of these varied publicity requirements. Most interesting is the Official Journal of the League, the first number of which appeared in February, 1920, a few weeks after the official birth of the League. The Journal is a purely official document devoid of editorial or controversial matter, in short, of propaganda. The first issue, for instance, contained the final copy of the Covenant as a matter of reference, the stenographic report of the first meeting of the Council, the official notices of adhesion to the League of five of the thirteen neutral states invited to join, and a short summary of the first International Labor Conference.

The Journal is not exciting. It is not in any

sense romantic. It is made up of cold, official, documentary material, free from propaganda and invaluable as a matter of reference to all editors, publicists and others interested in the growth of international cooperation. By itself it will form the official record of the League, colorless perhaps but accurate. It should have the most unique circulation of any periodical in the world.

Finally, and most essential of all, there must be assured some method of easy, rapid and inexpensive press communication. If the League cannot exist without the support of public opinion, it must afford every possible facility to newspapers and magazines to maintain correspondents at the seat of the League and to enable them to cable or wireless full details of what the League is doing. Nothing would be more disastrous than a general public impression that the League was doing nothing.

Enthusiasts on communications have claimed that a press rate of five cents a word from the seat of the League to the United States would assure success to the League in this country.

This would be due, not to any propaganda or any interference with the untrammelled filing of dispatches by the individual correspondents, but to the fact that once the public familiarizes itself with the League, understands its workings, and feels a direct relationship to its success, it will put all its strength behind it and force it to make good.

The Peace Treaty failed in the United States, it is often alleged, because of lack of publicity at the Peace Conference. No one would make the claim that there was even an approach to public diplomacy at Paris, but similarly, few who are familiar with the details will deny that the expense of cable tolls from Paris to the States, running from fifteen cents to seventy-five cents a word, made it almost impossible to carry over the full, interpretative, steady reports which all correspondents desired to send. The cost was prohibitive, and as a result the American public secured at best only a secondhand idea of what was common knowledge in Paris.

Consequently, plans are already on foot for the provision of full wireless facilities at the seat

of the League, in order that a low press rate may be possible. It will take nearly a year and a half and cost around a million dollars to put up the right kind of towers, but there is not the slightest doubt but that the system would more than pay for itself in a very short space of time. The result would be that the world would know itself as it has never been able to know itself before.

Here at this point, fittingly enough in a discussion of the relations of the League and the public, we come to the end of this little book. Beside that question all others are dwarfed. Alone it offers the key to success or failure of the League. For, it must be stated once again, the League has no strength except the strength which the interest, support and confidence of the public give it.

It is the author's hope that these short chapters have helped to outline the League structure and method of operation. That is a big task for a little book, but it is not the biggest. For unless the reader carries away the overwhelming conviction that the success of the League can come only from the interest of himself and his friends

and neighbors all over the world, the big mission which lies open before these pages will remain unfulfilled. The League must be watched, studied, criticised, driven forward, and above all held true to its ideals by the men and women of the world in whose interest it has been called into being.

The future of the League of Nations rests with the public opinion of the world.

THE LEAGUE AS MEDIATOR

THE League of Nations was not six months old before two cases involving a threat of war were brought to its mediation. Thus, even before the League had had chance to organise, the procedure laid down with such care in the Covenant was called upon to function. The two cases, interestingly enough, brought into play nearly every course of action open to the League and illuminated very sharply the various steps which may be taken by it in the effort to prevent war.

The first case was an appeal of Persia, a member of the League, against the wanton aggression of another state, Soviet Russia, while the second case was brought before the League by Great Britain, a disinterested party, in an effort to prevent the Aaland Islands dispute from generating war between Sweden and Finland. Regardless of either the importance or the outcome of these two particular cases, the great fact stands out that means of initiating an international conference and

of taking steps looking towards the preservation of justice were available which had not hitherto been at hand. It is, consequently, very interesting to analyse the two cases as precedents for similar future cases.

Let us take the Persian case first as the first to arise. On March 19th, Prince Firouz, Persian Foreign Minister, who at the moment was in Paris, notified the League that on the day before the Bolsheviks had bombarded Enzeli in Northern Persia, landed troops and taken possession of the city. He pointed out that this was in defiance of the Covenant and requested that a meeting of the Council be summoned in accordance with Article XI, to the effect that:

“It is also declared to be the friendly right of each member of the League to bring to the attention of the Assembly or of the Council any circumstances whatever affecting international relations, which threaten to disturb international peace or the good understanding between nations upon which peace depends.”

The facts were absolutely plain and the conclusions incontrovertible. Consequently, the Secretary-General, acting within the authority of Article

XI that "in case any such emergency should arise the Secretary-General shall on the request of any member of the League forthwith summon a meeting of the Council," called the Council together at London on April 14th. On that date representatives of the world's nine most powerful nations met to see what, if anything, could be done in the face of this wanton aggression.

Prince Firouz was at once admitted as a member of the Council as provided in Article IV, which reads:

"Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a Member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League."

He thereupon laid before the Council a complete series of documents showing exactly what had taken place at Enzeli and giving the Council full information on which to base its conclusions. During the sessions, however, a note was received from the Bolsheviks themselves to the effect that they would immediately withdraw from the city

and cease their hostile operations. This, of course, changed the whole face of the situation and made it unnecessary for the Council to do aught but note the facts and issue a statement approving the action of Persia in directing attention to the case and assuring her that the Council would follow the compliance of the Bolsheviks with their agreement with much interest.

If in this particular case it so happened that the League was not required to take decisive action, the precedent which it established was nevertheless of vast importance. For the first time a nation which had been attacked in defiance of all rules of international law had been able to appeal to the other nations of the world, had seen the most important nations meet almost immediately to consider the case, and had had the assurance that the rest of the world stood behind her in the protection of her rights and sovereignty.

Never before had such a thing been possible. Nations might have appealed to other nations for help, but there existed no machinery by which the other nations could come together quickly and automatically to examine the question and see

what could be done. In all previous experience, stolidity, slowness and extreme disassociation of action have characterized international action. Today, however, the very fact that a conference can automatically be called to consider any acts of aggression will by itself alone have a most deterrent effect on nations inclined to such piracy.

What, for instance, would this machinery have meant in 1914? If it had existed, Germany would have known that the moment she crossed the Belgian frontier, Belgium, or indeed any other state in the League, could have called a meeting of the Council to see what action was requisite and possible. Immediately, then, all world nations would have examined the question about a common table and it would have been possible to agree upon a joint plan to restrain the wrongdoer. This plan, of course, would have had no binding effect on any nation involved, but would have been submitted to each one for acceptance or rejection as the viewpoint of a meeting of world statesmen.

The second case, that of the Aaland Islands, was of decidedly more interest and importance.

The Aalands, it may be said by way of preface, form a small archipelago contiguous to the shores of Finland. A part of Russia until the break-up of the old Empire, they were claimed by Finland on the grounds of inheritance and of contiguity and by Sweden on the grounds of self-determination. The contest between the two States had become so bitter that Sweden had temporarily withdrawn her minister from Helsingfors and war had been freely predicted.

It was at this point that the League of Nations began to function. Great Britain, a third party with no interest in the dispute except as it involved the general preservation of peace, referred the matter on June 19th to the Council of the League of Nations under Article XI of the Covenant, which gives to each member of the League the right to request League action in any case threatening war.

Automatically, therefore, a process looking toward a peaceful solution was set in motion. This process would have been impossible under the pre-war system of international disorganisation before the creation of the League machinery. By means

of it a disinterested State was enabled as a matter of right and without assuming an unfriendly attitude towards either contestant, to bring the question immediately before an existing world organisation.

The facts of the case were sent immediately to all States in the League; the Members of the Council were called together; and Sweden and Finland were invited to submit statements. The attention of the world thus became focussed upon the dispute, and the task of evolving a peaceful settlement became a matter of immediate international interest. It was exactly this step which was lacking in late July and August, 1914, when Sir Edward Grey made every effort to bring the nations together about a common conference table.

The Council assembled in London on July 9th. The first question before it was the status of Sweden and Finland in the deliberations. Sweden was not a Member of the Council, while Finland was not even a Member of the League. It was obvious, however, that both should participate in the discussions in order that the decisions

might be arrived at voluntarily and by agreement of all.

Sweden was immediately admitted as a Member of the Council under Article IV of the Covenant.

Finland's position was more difficult, however, as, though that country has applied for membership in the League, she cannot be formally admitted until the first Assembly. Nevertheless it was agreed by all Members of the Council, including the representative of Sweden, that Finland should be accorded full rights of membership.

Thereupon both nations presented their cases, first by written statements and later by verbal explanations. The arguments need not be discussed in detail, for they are wholly overshadowed by the fact that an international organisation existed where such arguments could be presented and weighed at all. Both nations, in short, placed their cases before what might be called the bar of international judgment and were given the opportunity of learning the opinion of the disinterested outside world.

Vastly more than this, however, lay behind the meeting, because Sweden as a member of the League and Finland as a State, having accepted the obligations of the League in this dispute, had bound themselves not to go to war until after the award of the Council, and even then not until after three months had elapsed. This, of course, would so postpone war as to give the agencies of peace and of world public opinion the fullest opportunity to act.

The interior workings of the Council were most advantageously illustrated in this particular dispute. Finland immediately claimed that the dispute was a wholly domestic one beyond the reach of the League of Nations. She cited Article XV to the effect that —“ If the dispute between the parties is claimed by one of them, and is found by the Council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party the Council shall so report, and shall make no recommendation as to its settlement.”

This claim raised a direct question of law. The first step, then, was not the bringing about of

a rapprochement between the two parties but rather the interpretation of various legal documents. Obviously that phase of the question could be far better handled in a Court of Law than in a Council of diplomatic representatives.

Exactly this contingency is foreseen in Article XIV, which says that the Permanent Court of International Justice may "give an advisory opinion upon any question or dispute referred to it by the Council or by the Assembly." In other words, special care has been taken to allow the diplomatic branch of the League of Nations to separate disputes into their component parts, in order that purely legal questions may be entrusted to a purely legal body. This is a great stride in advance of anything that has hitherto been possible and very largely affects the charge that Council decisions will be based on purely political considerations.

As the Permanent Court was at the moment in the process of formation, it was necessary in this particular case to refer the legal question to a special Committee of three jurists. In an effort to procure men wholly impartial and at the same

time a predominance of men from the small Powers the following men were chosen: Professor Larnaude of the University of Paris and Monsieur Mercier of Switzerland and a representative from Holland. Of course, this reference to a Committee of Jurists involved delay in the decision, but was felt to be justified on the principle that it is far better to take the time necessary to arrive at a decision, the justice of which cannot be disputed, than to hurry to a hasty, ill-formed conclusion which would discredit belief in the League's impartiality. Every effort was made to have world public opinion, and specially that in Finland and Sweden, accept the decision as eminently wise and just.

Meanwhile the situation naturally remained delicate. At the meeting on July 12th, Mr. Balfour as President of the Council asked both the Swedish and Finnish representatives to give public assurance that they would take every precaution not to aggravate it. Both these men, standing before the Council and the public, acceded to this request. Thus for the first time, two nations have made a public agreement to take no action

to advance their own material interests during the time necessary for the other disinterested nations of the world to seek to work out for them a just and peaceful solution.

Immediately afterwards, the Finnish Foreign Office telegraphed the League that "The High Court has released Sundblom and Bjorkman," the two Aaland Island leaders who had been imprisoned by Finland for secession.

THE END



